



**DISSERTATION
ON
The Exercise of Power of the Ombudsman of a State: In the Context of India,
Pakistan and Bangladesh**

**Course Title: Supervised Dissertation
Course Code: LAW 406**

**Submitted to: Sk. Md. Habibullah,
Senior Lecturer
Department of Law
East West University**

**Submitted by: Md Ravid Bin Azad Rafin
Student ID: 2017-2-66-024
Semester: Summer 2022**

Date of Submission: 18-09-2022

Consent form:



The dissertation titled **“The Exercise of Power of the Ombudsman of a State: In the Context of India, Pakistan and Bangladesh”** prepared by **“Md Ravid Bin Azad Rafin”** ID: **2017-2-66-024** submitted to **Sk. Md. Habibullah, Senior Lecturer, Department of Law** for the fulfillment of the requirements of LAW 406 (Supervised Dissertation) for LL.B. (Hons.) degree offered by the Department of Law, East West University is approved for submission.

.....
Signature of the Supervisor

Date:

Acknowledgement

Firstly, I would like to thank Dr. Md. Mehedi Hasan, the respected Chairperson and Assistant Professor, Department of Law, East West University of Bangladesh for facilitating the research program with such discipline.

I would like to acknowledge the guidance, support and advice of my supervisor, Sk. Md. Habibullah, Senior Lecturer, Department of Law, East West University of Bangladesh and give my heartiest gratitude to him. His advice and guidance carried me to the completion of this dissertation. I would also like to thank all of my faculty members of the Department of Law, East West University of Bangladesh for guiding me to overcome my weaknesses during my journey of studying law.

Finally, I would like to thank my Creator, family members and friends who supported and encouraged me in the journey of my life.

Declaration

I, Md Rauid Bin Azad Rafin, student ID: 2017-2-66-024 declares that the work in this dissertation titled “The Exercise of Power of the Ombudsman of a State: In the Context of India, Pakistan and Bangladesh” has been carried out by me. This is my original work in the Constitutional Law has been carried out by me. This is my original work and information used for this research has been duly acknowledged. I have not published this work in any article, journal, or newspaper.

Abstract

This paper is about the Ombudsman systems in India, Pakistan and Bangladesh. This paper covers the statutory powers and the exercise of powers of Ombudsman in India, Pakistan and Bangladesh. This paper also covers how the Ombudsman exercises its powers according to its governing laws of its countries. The Ombudsman can really investigate the complaints made against the public and private officers of the state or not - is also described covering the contexts of India, Pakistan and Bangladesh.

List of Abbreviations

United Kingdom	U.K.
Supreme Royal Ombudsman	SRO
Central Beuro of Investigation	CBI
Non Banking Financial Institutions	NBFC
Forum of Pakistan Ombudsman	FPO
Asian Ombudsman Association	AOA
International Ombudsman Institute	IOI
Annual Confidential Report	ACR
Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983	EOWMOO, 1983
The Ombudsman Act 1980	OA, 1980

Table of Content

Chapters	Page no
Abstract.....	1
List of Abbreviations.....	2
Chapter-1: Introduction	
1.1: Introductory Statement.....	6
1.2: Objectives of the Study.....	6
1.3: Scope.....	7
1.4: Research Questions.....	7
1.5: Research Methodology.....	7
1.6: Limitation of the Research.....	8
Chapter-2: Definition and History of Ombudsman	
2.1: Definition.....	8
2.2: History.....	9
Chapter-3: The Statutory Power, Its Exercise of Power and Accountability of Ombudsman: In The Context of India	
3.1: Ombudsman Concept and Its Jurisdictions in India.....	10

Chapters:	Page no.
3.2: Structure of Lokpal Body.....	12
3.3: Authority and Jurisdiction of Lokpal.....	13
3.4: Limitations and Jurisdiction of Lokpal.....	15
3.5: Non Banking Financial Companies.....	16
3.6: Accountability of Ombudsman in India.....	17

**Chapter-4: The Statutory Power, Its Exercise of Power
and Accountability of Ombudsman:
In The Context of Pakistan**

4.1: Introduction.....	17
4.2: Regulatory Statutes of Ombudsman in Pakistan.....	18
4.3: Ombudsman Concept in Pakistan in the Statutes.....	19
4.4: Jurisdiction of Wafaqi Mohtasib.....	20
4.5: The Exercise of Power of Wafaqi Mohtasib.....	21
4.6: Accountability of the Wafaqi Mohtasib in Pakistan.....	24
4.7: Conclusion.....	25

**Chapter-5: The Statutory Power, Its Exercise of Power
and Accountability of Ombudsman:
In The Context of Bangladesh**

5.1: Introduction.....	26
5.2: Statutes Relating to the Ombudsman in Bangladesh.....	26
5.3: The Concepts of Ombudsman in Statues in Bangladesh.....	27
5.4: Powers and Functions of Ombudsman in Bangladesh.....	28
5.5: Limitations and Loopholes of the Ombudsman of Bangladesh.....	31
5.6: Applicability of Ombudsman in Bangladesh.....	32
5.7: Conclusion.....	32

Chapters:	Page no.
Chapter-6: Conclusion	
6.1: Comparisons of the Ombudsman systems among India, Pakistan and Bangladesh.....	33
6.2: Recommendation for the Ombudsman system of Bangladesh.....	35
References.....	36
Bibliography.....	40

The Exercise of Power of the Ombudsman of a State: In the Context of India, Pakistan and Bangladesh

Chapter-1

Introduction

1.1: Introductory Statement:

An Ombudsman is an official person who is appointed by the Government or by the Parliament of a state. An Ombudsman investigates the complaints made against any public official or any institution of the government. Ombudsman works for ensuring justice to any aggrieved citizen. If any citizen of a state is aggrieved by any malpractice of the administration of any public or private organization of the state, he or she can file a complaint against the malpractice of the administration and corruption to the Ombudsman of the state. The Ombudsman investigates about it and report it to the competent authority to ensure the eradication of the malpractice of the administration. In some countries, the Ombudsman gives reports to the legislative assembly or Parliament and in some countries, the Ombudsman gives reports directly to the President of the State. The Ombudsman has the power to enter into any place of the State, to do investigation and to take proper action according to the statutes of the state for the sake of investigation.

1.2: Objectives of the Study:

This research intends to do study on the statutory power and the exercise of power of Ombudsman in the context of India, Pakistan and Bangladesh. This research intends to accomplish the knowledge whether the Ombudsman has the power to investigate the complaints made against any malpractices, corruption against any department of the Government of India,

Pakistan and Bangladesh or not. This research also intends to do study on the independent existence and the exercise of power of Ombudsman in India, Pakistan and Bangladesh.

1.3: Scope:

The research is going to cover the definition, history of the Ombudsman system in administration of a state and the existence of the Ombudsman systems in India, Pakistan and Bangladesh. The research is also going to cover the statutory powers, exercise of powers, accountability, limitation of powers of Ombudsman in India, Pakistan and Bangladesh.

1.4: Research Questions:

- How can the ombudsman exercise its powers in India, Pakistan & Bangladesh?
- Who can moderate the powers of ombudsman and how can do in the context of India, Pakistan & Bangladesh?

1.5: Research Methodology:

This research has been conducted following the qualitative research methods. All the contents of the research have been taken from the official websites and statutory provisions of India, Pakistan and Bangladesh. These are the primary sources. This research is also relied on some E-journals and newspapers to show the exact situations of the Ombudsman system and its exercise of power in India, Pakistan and Bangladesh. These E-Journals and newspapers are secondary sources.

1.6: Limitation of the Research:

The actions taken by the Ombudsman are stated in the “Annual Confidential Reports” and they are not easily accessible. So, the actions taken by the Ombudsman have not totally been published in this research paper. Another limitation is that: no person or organization can file a suit on Ombudsman in India, Pakistan and Bangladesh as it is one of the powers of Ombudsman in India, Pakistan and Bangladesh. So, no case on Ombudsman is stated in this research paper.

Chapter-2

Definition and History of Ombudsman

2.1: Definition:

Someone who works for a government or large organization and deals with the complaints made against it is called an “Ombudsman”.¹

Ombudsman is a Swedish word. It signifies an agent or representative which represents a public official which is being appointed to deal with the individual complaints against the government or the body for which it is being appointed.

An ombudsman is an official who is usually appointed by the government or by parliament. Statutorily, an ombudsman is independent. In some countries, an inspector general, citizen advocate or other official may have duties similar to those of a national ombudsman and may also be appointed by a legislature. Below the national level, an ombudsman may be appointed by a state, local, or municipal government. Unofficial ombudsman may be appointed by, or even

¹ Cambridge University Press, “Ombudsman” (dictionary.cambridge.org)
<www.dictionary.cambridge.org/dictionary/english/ombudsman> accessed 7 July 2022

work for, a corporation such as a utility supplier, newspaper, NGO, or professional regulatory body.

The dictionary generally defines Ombudsman as a government official who investigates complaints against the government or its functionaries. On the basis of his functions, the Ombudsman has also been described as a public defender, a grievance man, a watchman over the law's watchmen, voice of the citizen and citizen's counselor. Essentially, the ombudsman protects citizens against injustices committed by the civil officials.²

Ombudsman is a government agent which works as an intermediary between the citizens and the government bureaucracy. The ombudsman is usually independent, impartial, universally accessible, and empowered only to recommend.

2.2: History:

King Charles XII of Sweden is generally credited with initiating the office of the ombudsman. An official with the title of Hogsta Ombudsman, a Self Regulatory Organization was appointed in 1713. The Ombudsman was assigned to keep an eye on royal officials and supervise observance of the laws. Sometimes he was even commissioned to represent the king in some official functions. In the Constitution of 1809, Swedish Parliament appointed an ombudsman whose office was separated from the office of the king. Ombudsman comes from the Norwegian word Umbohdsmdhr which means the administration man or king's representative. As a Swedish word, it literally means one who represents another.³

In the United States, the term ombudsman has been used more extensively to describe any machinery adopted by private organizations (e.g. large business organizations and universities) as well as by the government to investigate complaints of administrative abuses. An Ombudsman at the United Nations helps staff to resolve conflicts at the workplace in an informal and confidential manner. It

² Ombudsman of the Government of Philippines, 'History' (ombudsman.gov.ph)
<www.ombudsman.gov.ph/about-us/history/> accessed 7 July 2022

³ *ibid.*

has the aim of maintaining a harmonious workplace environment. An Ombudsman does not advocate for any party in a dispute. The word Om-buds-man is Swedish in origin and has referred historically to a representative or agent of justice. In the United Nations, the term has come to designate an informal third party who can assist in seeing whether all the members of the workforce are treated equitably and that justice is done or not.⁴

Ever since 1809, most European countries have adopted the institution of the Ombudsman.

The Ombudsman in the United Kingdom is called "Parliamentary Commissioner". The Legal Ombudsman in the U.K. works with "The Ministry of Justice of the United Kingdom". The Legal Ombudsman for England and Wales is appointed by "The Office for Legal Complaints" to run an independent scheme. It resolves complaints about lawyers in a fair trial in an effective way. It helps to drive improvements to legal services.⁵

Everywhere the Ombudsman is elected by the parliament. The political parties in the parliament normally elect the Ombudsman unanimously.

Chapter-3

The Statutory Power, Its Exercise of Power and Accountability of Ombudsman: In The Context of India

3.1: Ombudsman Concept and Its Jurisdictions in India:

In India, the Government has appointed several ombudsmen. Sometimes they are called the "Chief Vigilance Officer (CVO)". The government designated the ombudsman for the redress of

⁴ Office Of The Ombudsman for United Nations Funds and Programmes, "What is an Ombudsman?" (United Nations)

<www.fpombudsman.org/what-we-do/> accessed 10 July 2022

⁵ The Government of the United Kingdom, "The Legal Ombudsman" (gov.uk)

<www.gov.uk/government/organisations/the-legal-ombudsman#:~:text=The%20Legal%20Ombudsman%20for%20England,with%20the%20Ministry%20of%20Justice> accessed 14 July 2022

grievances and complaints from individuals in the banking, insurance and other sectors which were being serviced by both private and public bodies and corporations.⁶

The “Central Vigilance Commission” was set up on the recommendation of the Santhanam Committee in 1962–1964.

Lokpal came from Sanskrit: Lokapala. It means the "defender of people" or "People's Friend". It is an anti-corruption authority or body of ombudsman who represents the public interest in the Republic Of India. The current Chairperson of Lokpal is Pradip Kumar Mohanty. The Lokpal and Lokayuktas Act was passed in 2013 with amendments in parliament, following the Jan Lokpal Movement which was led by Anna Hazare in 2011.⁷

In India, the ombudsman is known as “Lokpal” or “Lokayukta”. An Administrative reforms Commission (ARC) was set up on 5 January 1966 under the Chairmanship of Shri Morarji Desai. It recommended a two-tier machinery: Lokpal at the Center (parliamentary commissioner) and one Lokayukta each at the State level for redress of people's grievances. However, the jurisdiction of the Lokpal did not extend to the judiciary. The central Government introduced the first Lokpal Bill, Lokpal and Lokayuktas Bill in 1968, and further legislation was introduced in 2005. Final bill, after all the amendments, was passed in Rajya Sabha on 17 December 2013 and passed in Lok Sabha on 18 December 2013.⁸

The state-level Lokayukta institution has been developed gradually. Orissa was the first state to present a bill on the establishment of Lokayukta in 1970, but Maharashtra was the first to establish the institution, in 1972. Some states have Upalokayukta under the Lokayukta and in some states, the Lokayukta does not have the suo moto powers of instigating an enquiry.

⁶ Internet Archive Wayback Machine, “LIST OF AGENCIES IN GOVERNMENT OF INDIA FIGHTING CORRUPTION” (web.archive.org, 10/05/2017)
<www.web.archive.org/web/20030526192725/http://cvc.nic.in/vscvc/guideanx7.pdf> accessed 15 July 2022

⁷ Lokpal of India, ‘About Lokpal’ (lokp.al.gov.in)
<www.lokp.al.gov.in/#:~:text=About%20Lokpal&text=The%20Act%20came%20into%20force,from%2028th%20May%2C2022> accessed 18 July 2022

⁸ Times Of India, “Lok Sabha passes amended Lokpal Bill, Anna Hazare ends fast” The Times of India, (Delhi, 18 December 2013)
<www.timesofindia.indiatimes.com/india/lok-sabha-passes-amended-lokp.al-bill-anna-hazare-ends-fast/articleshow/27580904.cms> accessed 18 July 2022

3.2: Structure of Lokpal Body:

- ❖ The Lokpal body comprises of one chairperson and a maximum of eight members, of which half are judges and the other half are members of the SC, ST, OBC, minority, and female classes. The President picks the members based on the suggestions of a search and selection committee that must consist of at least 8 people.⁹

- ❖ The Chairman of Lokpal will be chosen from among the following: the former Chief Justice of India, the former judge of the Supreme Court, or a well-known individual with specialized knowledge and expertise of at least 25 years in the field relating to anti-corruption policy, public administration, diligence and surveillance, law and management, etc. Until the earlier of five years or the age of 70, the chairman's tenure is in effect.¹⁰

- ❖ The selection committee is composed of the Prime Minister, Chairperson; Speaker of Lok Sabha, Leader of Opposition in Lok Sabha, Chief Justice of India or a Judge nominated by him/her and one eminent jurist.¹¹

⁹ Lokpal of India, 'Organizational Structure' (lokp.al.gov.in)
<www.lokp.al.gov.in/?about_us?organization_structure?0105> accessed 18 July 2022

¹⁰ ibid.

¹¹ ibid.

3.3: Authority and Jurisdiction of Lokpal:

- ❖ The Lokpal has the authority to hold the Prime Minister, Ministers, Members of Parliament, Groups A, B, C, and D officers, and officials of the Central Government accountable for any allegations of wrongdoing. The groups definitions are given below according to the report of the 7th Central Pay Commission Group A postings are appointed to the highest management positions in the ministries. Middle management is made up of Group A and Group B at the junior levels. In ministries and departments, Group C personnel mostly carry out the clerical works. Group D are hired to do maintenance and labor work. According to the 7th Central Pay Commission (CPC) of India; the staff within the level-10 to level 18 will be under Group A, the staff within the level-6 to level-9 will be under Group B, the staff within the level-1 to level-5 will be under Group C and Group D. Group A includes all officers of IAS (Indian Administrative Service), IPS (Indian Police Service), IFS (Indian Foreign Service), IRS (Indian Revenue Service), police personnel with DSP (Deputy Superintendent of Police) or higher ranks, officers in the Indian Armed Forces, state administration officers etc. Group B category includes all state police officials, section officers in various ministries, GST (Goods and Services Tax)/Customs inspectors, Income tax inspectors, preventive officers etc. Group C includes all Head Clerks, Clerks, Tax assistants, Court Typists and Stenographers. The SSC MTS (Staff Selection Commission Multi Tasking Staff) entrance examination is typically used to choose the Group D or Class IV officials. Group D includes peons, sweepers, gatekeepers and cleaners.¹²

¹² Lokpal of India, 'Jurisdictions And functions Of Lokpal' (lokpal.gov.in) <www.lokpal.gov.in/?about_us?Jurisdiction_and_Functions_of_Lokpal?0103> accessed 22 July 2022

- ❖ Anyone who is or has held the positions of director, manager, or secretary for a society or organization created by a central act, or for any other organization partially or entirely funded by the central government, is likewise subject to its jurisdiction.¹³
- ❖ Its jurisdiction also falls on someone who is or has been director/ manager/ secretary of any organization or society established by central act or any other body partially or wholly financed or/ and controlled by the central government.¹⁴
- ❖ Additionally, it supervises and oversees CBI, and it has the authority to order and give directions to CBI.¹⁵
- ❖ The Lokpal's Inquiry Wing now has the authority of a civil court. As a result, it has the authority to seize assets, revenues, and benefits obtained through dishonest means under specific particular conditions.¹⁶
- ❖ The Lokpal has the authority to support the dismissal, transfer, and disqualification of public employees who are involved in allegations of corruption.¹⁷
- ❖ The Lokpal has the authority to investigate claims of corruption against "Central Government" public servants and other matters relating to corruption.
- ❖ Lokpal is responsible for investigating allegations of corruption at the national level, and Lokayukta performs the same function at the state level.

¹³ *ibid.*

¹⁴ *ibid.*

¹⁵ *ibid.*

¹⁶ *ibid.*

¹⁷ Advait Raj, 'Lokpal' <www.legalserviceindia.com/legal/article-50-lokpal.html> accessed 14 July 2022

- ❖ Kerala has an Ombudsman for local government agencies such as: panchayat, municipalities and business.¹⁸
- ❖ The ombudsman may investigate/ investigate allegations of conduct, omission, corruption and misconduct.

3.4: Limitations of Jurisdiction of Lokpal:

- Like every other organization in the world, the Lokpal body has its own loopholes.
- The Lokpal praised the governors of the states for appointing Lokayuktas within a year of its enactment. However, to date, only his 16 provinces have successfully established Lokayukta.
- There are no restrictions or guidelines regarding the appointment of lokayuktas, and these are entirely up to each state's individual rules and regulations.
- Lokpal was set up to insulate public institutions from political and other forms of vile corruption, but since members of the nominating committee are made up of members of political parties, Lokpal has limited access to political influence. Not recognizable outside. Lokpal's membership terms are easy to work with. Manipulation is possible because there are no concrete criteria for judging "good legal scholars" or "honest

¹⁸ Decwatch.org, 'Bedava Bonus Veren Bahis' (23 July 2018) <www.decwatch.org/?q=ombudsman> accessed 15 July 2022

people," and suitable candidates for the positions may be misplaced for reasons such as nepotism. Not selected.

- The main flaw of this system is that the supreme judicial body is excluded from his Lokpal's jurisdiction.
- Currently, there is no proper procedure to appeal to Lokpal if someone is not happy with their decision.
- The appeal period is limited. A report of an alleged corruption case cannot be cataloged after seven years from the date of the offense described in the report, even if there is a justification for the report.¹⁹

3.5: Non Banking Financial Companies:

The Reserve Bank of India has launched an ombudsman scheme for free redress of complaints against non-banking financial companies (NBFCs). This scheme applies only to the following NBFCs:

- Having assets over Rs. 1,000,000,000. and or
- Accept deposits.

¹⁹ Lokpal of India, 'Jurisdictions And functions Of Lokpal' (lokp.al.gov.in, 2022)
<www.lokp.al.gov.in/?about_us?Jurisdiction_and_Functions_of_Lokpal?0103> accessed 22 July 2022

A complainant may submit a complaint to his NBFC Ombudsman at any NBFC branch or registered office if:

- If NBFC does not respond within one month of receiving the complaint.
- If the complainant is not satisfied with her NBFC's response.
- If the NBFC denies or does not recognize the complaint.

3.6: Accountability of Ombudsman in India:

There is no specific body to whom the Ombudsman is accountable for showing the reason for his/her work but as the Supreme Judiciary is excluded from the purview of the Lokpal and the other ombudsmen in India, the supreme judiciary can make question on the activities of the ombudsman in India as the head of the law maintaining authority of India.

Chapter-4

The Statutory Power, Its Exercise of Power and Accountability of Ombudsman: In The Context of Pakistan

4.1: Introduction:

Before Article 276 of the Interim Constitution of 1972 authorized the appointment of a Federal Ombudsman (Urdu: Wafaqi Mohtasib) and Provincial Ombudsman, the formation of an ombudsman institution in Pakistan had been long supported. A Federal Ombudsman was also provided for in the Constitution of 1973, and the position was eventually established by the

President's Order No. 1 of 1983, which is now incorporated into the Pakistani Constitution by virtue of Article 270-A. The order established the Office of Wafaqi Mohtasib (Ombudsman). The system went into operation on August 8, 1983. Syed Tahir Shahbaz now holds the position of Ombudsman..²⁰

The Ombudsman's administrative center is in Islamabad. Regional Offices for the Wafaqi Mohtasib are located in Dera Ismail Khan, Peshawar, Karachi, Hyderabad, Sukkur, Quetta, Faisalabad, Multan, and Lahore.

A financial ombudsman, the Banking Mohtasib Pakistan, a federal insurance ombudsman, and a federal tax ombudsman are among the other ombudsman organizations in Pakistan. Provincial ombudsman (Mohtasib-e-Aala) offices are also available in Punjab, Balochistan, Khyber Pakhtunkhwa, and Sindh. There is an Ombudsman office in Azad Jammu and Kashmir as well. The first Federal Ombudsperson for Protection against Harassment of Women at Workplace was appointed in the same year as Musarrat Hilali under the Protection against Harassment of Women at Workplace Act of 2010. Similar positions are provided for at the provincial level by the Act.

Several ombudsman organizations participate in the Forum of Pakistan Ombudsman (FPO), and the federal organizations are associated with both the Asian Ombudsman Association (AOA) and the International Ombudsman Institute (IOI).

4.2: Regulatory Statutes of Ombudsman in Pakistan:

The ombudsman system of Pakistan is regulated by the “Establishment of the Wafaqi Mohtasib (Ombudsman) Order, 1983”; “Federal Institutional Ombudsman Reforms Act, 2013”; “Wafaqi Mohtasib (Ombudsman)’s Investigation and Disposal of Complaints Regulations, 2013”.

²⁰ Wafaqi Mohtasib (Ombudsman)’s Secretariat of the Government of Pakistan, ‘Wafaqi Mohtasib’ (Wafaqi Mohtasib.gov.pk) <www.mohtasib.gov.pk/> accessed 16 August 2022

4.3: Ombudsman Concept in Pakistan in the Statutes:

The President appoints the wafaqi mohtasib (Ombudsman). Before entering upon the office in the service, the wafaqi mohtasib takes oath before the President. The oath is stated in the First schedule of the Establishment of Office of Wafaqi Mohtasib (Ombudsman) Order, 1983.²¹

According to this provision, the Mohtasib shall act in all of the matters of the executive with honesty and independently. All the executives of Pakistan shall act in aid with the Mohtasib.

The Mohtasib of Pakistan shall hold the office of mohtasib for a period of four years. According to this provision, the office of the mohtasib shall not become eligible for any kind of extension in any circumstance.²²

The Mohtasib shall not hold any kind of office which will be profitable during service of Pakistan. The Mohtasib can not occupy any other position which will carry out the right to remuneration during the service of Mohtasib. The Mohtasib can not hold any office or position of profit in the service of Pakistan before the expiration of the office of the service of Mohtasib. The Mohtasib cannot take part in any kind of political activity of Pakistan before the expiration of the service of the Mohtasib of Pakistan.²³ The President may appoint an acting mohtasib if the office of the Wafaqi Mohtasib of Pakistan is vacant.²⁴

²¹ Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order 1983 (EOWMOO 1983), a 3.

²² EOWMOO 1983, a 4.

²³ EOWMOO 1983, a 5.

²⁴ EOWMOO 1983, a 7.

4.4: Jurisdiction of the Wafaqi Mohtasib:

The Mohtasib may undertake any investigation into any allegation made by any aggrieved party of the maladministration on any part of the agency or the office of Pakistan on the reference of the President, the Federal Council or the National Assembly of Pakistan except the sub judice matters which are before a court of competent jurisdiction, or tribunal or board in Pakistan; matters which are related to the external affairs of the Pakistan or the matters which are related to the dealing of the Pakistan with the foreign state or government; matters relating to the defense of Pakistan or the matters relating to the military, air and naval forces of Pakistan.²⁵

Mohtasib shall not accept any kind of investigation of any aggrieved person who is working in the same service of office and has given the complaint for his or her own personal grievances according to the clause-2 of the article-9 of the Establishment of the Office of the Wafaqi Mohtasib (Ombudsman) Order, 1983.²⁶

To carry out the objectives of the order and to ascertain the root causes of the corrupt practices and injustices; the Mohtasib may arrange for studies and research. The Mohtasib may recommend appropriate steps for the eradication of such corrupt practices, injustices and maladministration according to the clause-3 of the article-9 of the Establishment of the Office of the Wafaqi Mohtasib (Ombudsman) Order, 1983.²⁷

According to clause-4 of the article-9 of the Establishment of the Office of the Wafaqi Mohtasib (Ombudsman) Order, 1983; the Mohtasib may set up regional offices if those are required to be set up.

²⁵ EOWMOO 1983, a 9.

²⁶ EOWMOO 1983, a 9.

²⁷ *ibid.*

When a public official of an agency makes a final recommendation on a matter concerning the implementation of Mohtasib's recommendations. Mohtasib may refer the matter to the President. The President by his discretion has the power to direct the agency to inform the Mohtasib accordingly in this matter.²⁸

If the Mohtasib is satisfied that the person is guilty after doing his inspection and inquiry, the Mohtasib may refer it to the concerned authority. The authority will inform about the actions taken against the referred person to the Mohtasib within the thirty days of the receipt of the reference from the Mohtasib. If the concerned authority doesn't inform or fails to inform the Mohtasib, the Mohtasib may bring the matter before the President of Pakistan for such action as he may deem fit.²⁹

4.5: The Exercise of Power of Wafaqi Mohtasib:

- ❖ Wafaqi mohtasib can enquire about the acts done by the government of Pakistan.
- ❖ There are wafaqi mohtasib's offices in the city areas of Pakistan. So, it can investigate the works done by the government in the field also and can maintain the justice system.
- ❖ It can act like the media between the citizens and the government of Pakistan.
- ❖ Foreign matters and in the case of diplomatic affairs of Pakistan, the wafaqi mohtasib can play a great role as it has a separate office and division relating to this.

²⁸ EOWMOO 1983, a 12.

²⁹ EOWMOO 1983, a 13.

- ❖ The Mohtasib has the powers of a civil court which is given in the Code of Civil Procedure, 1908 such as: summoning and enforcing him or her to attend and examining him or her on oath, compelling him or her to produce documents, receiving the evidence of affidavits and issuing the commission to examine the witnesses. The Mohtasib or any person who is authorized in writing by the Mohtasib may investigate and inquire into the subject matters given here.³⁰

- ❖ If the Mohtasib finds out any complaint false, frivolous or vexatious which is referred to the clause-1, article-9 of the Establishment of the Wafaqi Mohtasib (Ombudsman) Order, 1983; he may award reasonable compensation to the agency, public servant or the other functionary against whom the complaint was made and the amount of the compensation shall be revocable from the complaint.

- ❖ If any agency, the public servant or other functionary fails to comply with the direction of the Mohtasib or disregards the direction of the Mohtasib, the Mohtasib may refer appropriate authority for taking actions against the person who disregarded the directions given by the Mohtasib.³¹

- ❖ The Mohtasib or the officer who is authorized to investigate or inquire into in this behalf may enter into any premises to search. According to this provision the Mohtasib or the staff who is authorized to investigate or inquire into this behalf may inspect any article, book of accounts of other documents of the institution; may take extract or copies of the documents; may impound or seal such articles, books of accounts and documents.³²

- ❖ The Mohtasib has the power to punish in the person who is an offender of the contempt of the order of the Mohtasib, who is an offender of the obstruction of the process of work

³⁰ EOWMOO 1983, a 14.

³¹ *ibid.*

³² EOWMOO 1983, a 15.

of the Mohtasib or the staffs of the Mohtasib or the persons who are authorized to do so by the Mohtasib.³³

- ❖ The Mohtasib has the power to make an inspection team to inspect the works of the Mohtasib.³⁴
- ❖ The Mohtasib may establish any standing committee or any advisory council to act the works of the Mohtasib but the standing committee or the advisory council will be able to enjoy the specified jurisdiction delegated by the Mohtasib.³⁵ The Mohtasib may delegate his power in writing to any person from his staff or the standing committee members or the advisory council members.³⁶ The Mohtasib may with the consent of a Provincial Governor authorize the provincial functions.³⁷
- ❖ The Mohtasib may ask for the advice relating to his functions.³⁸
- ❖ The Mohtasib shall submit the annual report to the President about the activities of the Mohtasib within the three months of the conclusion of a calendar year.³⁹
- ❖ According to the article-29, 30 of the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983; the Mohtasib is not answerable to any court for his activity and no case and hearing can be done for the activities of the Mohtasib, his staff, any member of the standing committee, advisory council or any person who is authorized by the Mohtasib and has done any work in good faith according to the Establishment of the Office of the Wafaqi Mohtasib (Ombudsman) Order, 1983.⁴⁰

³³ EOWMOO 1983, a 16.

³⁴ EOWMOO 1983, a 17.

³⁵ EOWMOO 1983, a 18.

³⁶ EOWMOO 1983, a 19.

³⁷ EOWMOO 1983, a 21.

³⁸ EOWMOO 1983, a 21.

³⁹ EOWMOO 1983, a 28.

⁴⁰ EOWMOO 1983..

- ❖ The Ombudsman may resign from his office writing a resignation letter to the President of Pakistan.⁴¹

- ❖ The Ombudsman shall have the power to give punishment for the Contempt of Court Ordinance, 2003 (V of 2003).⁴²

- ❖ The Ombudsman shall be the Chief Executive and the Principal Accounting Officer of the office. He shall enjoy the full power and authority in the cases of the administration and financial autonomy. The Ombudsman has the full powers to re-appropriate the account. The Ombudsman has the authority to delegate his financial powers to any staff not below BPS-21 or equivalent.⁴³

4.6: Accountability of the Wafaqi Mohtasib in Pakistan:

The Wafaqi Mohtasib is only accountable to the President of Pakistan. The President of Pakistan may remove the Wafaqi Mohtasib from his office if any case of misconduct of the Mohtasib is found or if the Wafaqi Mohtasib is unable to perform his duties of Mohtasib properly for the reason of physical or mental incapacity.⁴⁴ So, it can be said that the Wafaqi Mohtasib is not the supreme authority of Pakistan.

⁴¹ Federal Ombudsman Institutional Reforms Act 2013 (FOIRA 2013), s 6.

⁴² FOIRA 2013, s 12.

⁴³ FOIRA 2013, s 17.

⁴⁴ EOWMOO 1983, a 6.

4.7: Conclusion:

Discussing the chapter, it can be said that the Ombudsman is called the Wafaqi Mohtasib in Pakistan. The Wafaqi Mohtasib is a body run and administered under the President of Pakistan. It has the authority and power to eradicate the corrupt acts and maladministration of the agencies, public and private sectors in Pakistan. The Mohtasib, his staff and the persons authorized by the Mohtasib to do the act on behalf of the Mohtasib are allowed to investigate and inquire into the cases relating to the corruption and maladministration of Pakistan. The Mohtasib has the administrative and financial authority also and the Mohtasib can construct any office, advisory council in any place in Pakistan to administer the acts of the public and private service in Pakistan. The Mohtasib is not accountable and answerable to any court of justice. The wafaqi Mohtasib is not the supreme authority in Pakistan. The Mohtasib has to give answers to the President of Pakistan and he has to give reports to the President of Pakistan within the three months of the conclusion of a calendar year. The Mohtasib is a powerful authority in Pakistan but he has the accountability to the President of Pakistan. The wafaqi Mohtasib is active in statutorily and in the exercise of power in the administration of Pakistan.

Chapter-5

The Statutory Power, Its Exercise of Power and Accountability of Ombudsman: In The Context of Bangladesh

5.1: Introduction:

Ombudsman is an authority which inquires and investigates the complaints made by any citizen or body of Bangladesh. In Bangladesh, the ombudsman is called the ombudsman. The ombudsman is answerable to the parliament of Bangladesh according to the article-77 of the Constitution of the Peoples' Republic of Bangladesh, 1972 and the Ombudsman act, 1980.

5.2: Statutes Relating to the Ombudsman in Bangladesh:

The relevant statutes in this context are:

- (a) Article-77 of the Constitution of the People's Republic of Bangladesh and
- (b) The Ombudsman Act, 1980.

The structure, its function, powers, accountability and others of the Ombudsman are described in detail in the Ombudsman Act, 1980.

5.3: The concept of Ombudsman in Statutes in Bangladesh:

The Parliament recommends a person for the post of Ombudsman to the President of Bangladesh. The President of Bangladesh appoints the Ombudsman which is called Wafaqi Mohtasib on the recommendation of the Parliament. In doing recommendations, the Parliament of Bangladesh must have to bear in mind that the person whom the Parliament is recommending to the President for the post of Ombudsman of Bangladesh shall have to be able to handle in the matters of legal and administration. It means that the appointing authority of the Ombudsman is the President directly at first hand but the actual appointing authority of the Ombudsman in Bangladesh is the Parliament itself indirectly.⁴⁵

The ombudsman is eligible to hold his office for three years. After the completion of the term of three years of his office, the ombudsman can be reappointed for another term of three years if the Parliament and the President of the Bangladesh deems fit. According to this provision, an ombudsman can be removed from his office⁴⁶;

- (a) If the Ombudsman is physically or mentally unfit or has done misconduct⁴⁷,
- (b) If the Ombudsman is heard in person and⁴⁸
- (c) If two third of the members of Parliament have given consent for the removal of the Ombudsman.⁴⁹

In the case of removal of the Ombudsman of Bangladesh, if the Ombudsman is not heard in person but he has been given much opportunity to hear, he can be removed from his office after

⁴⁵ The Ombudsman Act 1980 (OA 1980) s 3.

⁴⁶ OA 1980, s 4.

⁴⁷ *ibid.*

⁴⁸ *ibid.*

⁴⁹ *ibid.*

the two-thirds of the parliament members' consent even if the Ombudsman didn't respond about it.

5.4: Powers and Functions of Ombudsman in Bangladesh:

The Ombudsman has some powers to complete his actions and to ensure justice, to eradicate corruption and maladministration in Bangladesh. The powers and functions of the ombudsman in Bangladesh are described below:

- ❖ The Ombudsman is eligible to investigate all the actions which are taken by the ministries, statutory public authorities and the public officers in all the cases when any aggrieved person complains to him in person seeking justice.⁵⁰
- ❖ The Ombudsman can collect any information relating to his or her investigation from any person in any manner whether the person is in the public service or in the private service of Bangladesh.⁵¹
- ❖ Ombudsman will be able to collect any information for the sake of his or her investigation from any person. If the Ombudsman needs any person for investigation purposes, he or she will be able to have the person with him or her during the investigation.⁵²
- ❖ Ombudsman has the powers of a civil court during trying the suit under the Code of Civil Procedure, 1908 such as: in the matters of summoning and enforcing any person to attend and examining him or her on oath, receiving the evidences of affidavits, requisitioning any public record from any court or office in the territory of Bangladesh and issuing the commission to examine the witnesses. The Ombudsman has no obligation

⁵⁰ OA 1980, s 6.

⁵¹ OA 1980, s 7.

⁵² OA 1980, s 8.

to maintain secrecy or no restriction to disclose any information to the Government or the persons who are in the Government service.⁵³

- ❖ If the Ombudsman finds that the complainant is affected by the action of any authority and injustice has been caused by that competent authority, the Ombudsman shall recommend through the report to the competent authority in writing. The competent authority shall report to the Ombudsman within the one month of the expiry of the specified time given in the report.⁵⁴

- ❖ If any person is aggrieved by any authority in Bangladesh for maladministration and complains about it to the ombudsman, the Ombudsman can investigate it and recommend it through a report to the competent authority for ensuring justice. The competent authority shall have to give a report of taking actions on the recommendations to the Ombudsman within the one month of the expiry of the given specified time of the recommendation of the Ombudsman.⁵⁵

- ❖ If the Ombudsman is satisfied by the actions given in the report or the actions to be taken given in the report, the Ombudsman can close the case. If the Ombudsman is not satisfied by the actions taken or the actions to be taken by the competent authority in the report, the Ombudsman has the authority to give a report on this to the President of bangladesh.⁵⁶

- ❖ The Ombudsman shall prepare an annual report which will concern the discharge of his functions under the Ombudsman Act, 1980. The Ombudsman shall have to submit the annual report to the President of Bangladesh. The annual report shall have to be laid before the Parliament of Bangladesh.⁵⁷

⁵³ *ibid.*

⁵⁴ OA 1980, s 9.

⁵⁵ *ibid.*

⁵⁶ *ibid.*

⁵⁷ *ibid.*

- ❖ If the Ombudsman finds any defect in any law of Bangladesh, he or she may report about the defect of law to the Government and he or she may recommend the reform of law to eradicate the defect to the Government.⁵⁸

- ❖ The Ombudsman has the authority to appoint officers and the employees for the assistance to the discharge of functions of the Ombudsman. The Ombudsman may utilize any officer or employee of the Government to discharge his duties if required. In this case, the Ombudsman has to take prior consent from the government to utilize the officers and employees of the Government.⁵⁹

- ❖ The Ombudsman has the power to enter into any premise to investigate any person, authority and documents which he or she deems fit as necessary. In the cases of entry, search and seizure, the ombudsman will have to maintain the directions given in the sections 102 and 103 of the CrPC, 1898.⁶⁰

- ❖ No person will be able to publish any proceeding which will be pending before the Ombudsman without the prior permission taken from the Ombudsman. If any person publishes, the Ombudsman will have the authority to punish the person. The punishment in this matter may extend to three months simple imprisonment or the fine may extend to two thousand taka or the fine may be both.⁶¹

- ❖ The Ombudsman has the authority to punish the person who will obstruct in performing the functions of the Ombudsman without any lawful excuse. The offender may be punished with simple imprisonment which may extend to three months or with fine which may extend to two thousand taka or with both.⁶²

⁵⁸ *ibid.*

⁵⁹ OA 1980, s 10.

⁶⁰ OA 1980, s 11.

⁶¹ OA 1980, s 12.

⁶² OA, s 13.

- ❖ The Ombudsman may delegate his powers to any person following section-10 of the Ombudsman Act, 1980.⁶³
- ❖ Any act of the Ombudsman and the staff of the Ombudsman can be sought out in any court of Bangladesh. Any report, decision, and proceeding made by the Ombudsman can not be reviewed, challenged, quashed or called in question in any court.⁶⁴
- ❖ Nothing in the Ombudsman Act, 1980 shall limit or affect any right of remedy of any aggrieved complainant to avail the remedy.⁶⁵

5.5: Limitations and Loopholes of the Ombudsman of Bangladesh:

The Ombudsman can not investigate any civil or criminal proceeding which will be before any competent court of justice in the territory of Bangladesh. Ombudsman can not perform any act as a member of a court according to this provision.⁶⁶

Any public person or class of public officers may be exempted by the government from the actions taken in accordance with the 1980 Ombudsman Act by an official gazette..⁶⁷

⁶³ OA, s 14.

⁶⁴ OA, s 16.

⁶⁵ OA, s 18.

⁶⁶ OA 1980, s 6.

⁶⁷ OA 1980, s 15.

5.6: Applicability of Ombudsman in Bangladesh:

Though there are statutes to establish the Ombudsman in Bangladesh, the Ombudsman has not been appointed since the independence of Bangladesh. Constitution which is the supreme law of Bangladesh⁶⁸ also states that the President will appoint an Ombudsman with the recommendations of the Parliament⁶⁹ but till today an Ombudsman has not been appointed. It is a crying need now for Bangladesh to appoint an Ombudsman to investigate the maladministration, corruption, injustices of the persons who are in the public and private services in Bangladesh. For the absence of an Ombudsman in Bangladesh, the Annual Confidential Report (ACR) is not of much use. Though the anti corruption commission has been established to eradicate corruption, it merely is able to provide fruitful remedies. If an Ombudsman is appointed, corruption and malpractices of the administration may be eradicated.⁷⁰

5.7: Conclusion:

Discussing the chapter, it can be said that Bangladesh has the Ombudsman system in the statutes but it doesn't have any applicability in the country. Since the independence of Bangladesh, no person has been appointed as Ombudsman of Bangladesh. If an Ombudsman is appointed, the malpractices of the administration, corruption etc. can be removed from the lives of the citizens of Bangladesh. It will signify the good governance of Bangladesh also.

⁶⁸ The Constitution of the People's Republic of Bangladesh 1972 (CPRB 1972), a 7.

⁶⁹ CPRB 1972, a 77.

⁷⁰ Nadim Jawad Akil, 'Absence of the office of ombudsman: 48 years and counting' The Daily Star (Dhaka, 10 November 2020)

<www.thedailystar.net/law-our-rights/news/absence-the-office-ombudsman-48-years-and-counting-1992461> accessed 28 August 2022.

Chapter-6

Conclusion

6.1: Comparisons of the Ombudsman systems among India, Pakistan and Bangladesh:

In India, the President appoints an ombudsman which is called Lokpal in India. The President can not select the Lokpal independently rather he (The President) has to appoint the Lokpal on the recommendation of the selection committee. The Prime Minister, the Speaker of the House of the People, the Leader of the Opposition in the House of the People, the Chief Justice of India or a Judge of the Supreme Court who is recommended by the Chief Justice of India, one eminent Jurist has to be recommended by the President on the recommendation of the Chairperson and the members of the Selection Committee. In the selection committee, the Prime minister is the Chairperson. That means that the President of India can not appoint a Lokpal directly and independently. On the other hand, the President of Pakistan directly and independently appoints an Ombudsman which is called Wafaqi Mohtasib in Pakistan. In the process of appointment of Wafaqi Mohtasib, the President of India doesn't need to listen to any recommendation from any person. In the other side, Bangladesh also follows the system of the appointment of Ombudsman in Bangladesh. The President of Bangladesh will appoint an Ombudsman on the recommendation of the Parliament of Bangladesh according to the statutes of Bangladesh.. That means that the President of Bangladesh can not appoint the Ombudsman directly and independently.

In India, the Lokpal's one of the duties is to investigate the corruption and malpractices of administration of the Ministers, the Opposition leaders and the people of the public services. Though the Ombudsman is seemed to act as an independent authority, it actually can not for the appointment procedure. On the other hand, in Pakistan the Wafaqi Mohtasib's one of the duties is to investigate the corruption and malpractices of the administration in Pakistan. The Mohtasibs

independently can investigate for the procedures of the appointment and removal systems of the Wafaqi Mohtasib. In the other side, in Bangladesh the Ombudsman can not investigate independently for the procedural system of appointment and removal of the Ombudsman in Bangladesh according to the statutes of Bangladesh.

Another thing is that in India, the Lokpal is accountable to the President but if there is any misconduct done by the Lokpal on the recommendation of the House of the People of India and Supreme court of India, the President can remove the Lokpal from his position. The criterias or the areas of misconduct of the Lokpal are not mentioned anywhere in the statutes of India. So, there is a chance of misuse of the term named “Misconduct of the Lokpal”. On the other hand, In Pakistan, the Wafaqi Mohtasib is only accountable to the President of Pakistan. To remove a Wafaqi Mohtasib, only the President of Pakistan must have to be satisfied for any ground specified in the removal system of Wafaqi Mohtasib of Pakistan. On the other side, in Bangladesh, on the recommendation of the members of Parliament of Bangladesh, the President removes an Ombudsman of Bangladesh. Like the statutes of India, in the statutes of Bangladesh, the vague term named “Misconduct of Ombudsman” remains. It can be misused.

In India, the present Lokpal is the first Lokpal who has been appointed by the President of India in 2019. On the other hand, in Pakistan, the present Wafaqi Mohtasib is the 8th Wafaqi Mohtasib of Pakistan. That means it is a continuous process of appointment of the Wafaqi Mohtasib in Pakistan. In the other side, in Bangladesh, no Ombudsman has been appointed in Bangladesh till today.

For the above reasons, it can be said that the Ombudsman systems of India and Pakistan are better than the system of Ombudsman of Bangladesh according to my observation.

6.2: Recommendation for the Ombudsman system of Bangladesh:

If the Ombudsman is only accountable to the President of Bangladesh; there is a gross possibility of eradication of corruption and malpractices in administration. On the other hand, by this, the Ombudsman will not be able to become an autocratic body.

So, my recommendations in this regard are:

- (a) Bangladesh should make and implement a law in which the Ombudsman shall be appointed in and removed from his office directly and independently by the President of Bangladesh.
- (b) Bangladesh should make a law in which the Ombudsman shall be accountable only to the President of Bangladesh.

References

Cambridge University Press, “Ombudsman” (dictionary.cambridge.org)

<www.dictionary.cambridge.org/dictionary/english/ombudsman> accessed 7 July 2022

Ombudsman of the Government of Philippines, ‘History’ (ombudsman.gov.ph)

<www.ombudsman.gov.ph/about-us/history/> accessed 7 July 2022

Office Of The Ombudsman for United Nations Funds and Programmes, “What is an Ombudsman?” (United Nations)

<www.fpombudsman.org/what-we-do/> accessed 10 July 2022

The Government of the United Kingdom, “The Legal Ombudsman” (gov.uk)

<www.gov.uk/government/organisations/the-legal-ombudsman#:~:text=The%20Legal%20Ombudsman%20for%20England,with%20the%20Ministry%20of%20Justice> accessed 14 July 2022

Internet Archive Wayback Machine, “LIST OF AGENCIES IN GOVERNMENT OF INDIA FIGHTING CORRUPTION” (web.archive.org, 10/05/2017)

<www.web.archive.org/web/20030526192725/http://cvc.nic.in/vscvc/guideanx7.pdf> accessed 15 July 2022

Lokpal of India, ‘About Lokpal’ (lokpal.gov.in)

<www.lokpal.gov.in/#:~:text=About%20Lokpal&text=The%20Act%20came%20into%20force,from%2028th%20May%2C2022> accessed 18 July 2022

Times Of India, “Lok Sabha passes amended Lokpal Bill, Anna Hazare ends fast” The Times of India, (Delhi, 18 December 2013)

<www.timesofindia.indiatimes.com/india/lok-sabha-passes-amended-lokpal-bill-anna-hazare-ends-fast/articleshow/27580904.cms> accessed 18 July 2022

Lokpal of India, 'Organizational Structure' (lokpal.gov.in)

<www.lokpal.gov.in/?about_us?organization_structure?0105> accessed 18 July 2022

Lokpal of India, 'Jurisdictions And functions Of Lokpal' (lokpal.gov.in)

<www.lokpal.gov.in/?about_us?Jurisdiction_and_Functions_of_Lokpal?0103> accessed 22 July 2022

Advaith Raj, 'Lokpal' <www.legalserviceindia.com/legal/article-50-lokpal.html> accessed 14 July 2022

Decwatch.org, 'Bedava Bonus Veren Bahis' (23 July 2018)

<www.decwatch.org/?q=ombudsman> accessed 15 July 2022

Wafaqi Mohtasib (Ombudsman)'s Secretariat of the Government of Pakistan, 'Wafaqi Mohtasib' (Wafaqi Mohtasib.gov.pk) <www.mohtasib.gov.pk/> accessed 16 August 2022

Federal Ombudsman Institutional Reforms Act 2013 (FOIRA 2013), s 6.

FOIRA 2013, s 12.

FOIRA 2013, s 17.

Establishment of the Office of Wafaqi Mohtasib (Ombudsman)'s Order 1983 (EOWMOO 1983), a 3.

EOWMOO 1983, a 4.

EOWMOO 1983, a 5.

EOWMOO 1983, a 7.

EOWMOO 1983, a 9.

EOWMOO 1983, a 12.

EOWMOO 1983, a 14.

EOWMOO 1983, a 15.

EOWMOO 1983, a 16.

EOWMOO 1983, a 17.

EOWMOO 1983, a 18.

The Ombudsman Act 1980 (OA 1980), s 6.

OA 1980, s 9.

OA 1980, s 10.

OA 1980, s 11.

OA 1980, s 12.

OA 1980, s 13.

OA 1980, s 14.

OA 1980, s 15.

OA 1980, s 16.

OA 1980, s 18.

Nadim Jawad Akil, 'Absence of the office of ombudsman: 48 years and counting' The Daily Star (Dhaka, 10 November 2020)

<www.thedailystar.net/law-our-rights/news/absence-the-office-ombudsman-48-years-and-counting-1992461> accessed 28 August 2022.

Bibliography

Legislations:

1. The Lokpal and Lokayuktas Act, 2013
2. Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983 (President's Order No. 1 of 1983)
3. The Code of Civil Procedure, 1908
4. Federal Ombudsman Institutional Reforms Act, 2013
5. The Constitution of the People's Republic of Bangladesh and
6. The Ombudsman Act, 1980

E Journal:

Raj A, 'Lokpal' <www.legalserviceindia.com/legal/article-50-lokpal.html> accessed 14 July 2022

Newspaper:

1. Times Of India, "Lok Sabha passes amended Lokpal Bill, Anna Hazare ends fast" The Times of India, (Delhi, 18 December 2013)
<www.timesofindia.indiatimes.com/india/lok-sabha-passes-amended-lokpal-bill-anna-hazare-ends-fast/articleshow/27580904.cms> accessed 18 July 2022
2. Nadim Jawad Akil, 'Absence of the office of ombudsman: 48 years and counting' The Daily Star (Dhaka, 10 November 2020)

<www.thedailystar.net/law-our-rights/news/absence-the-office-ombudsman-48-years-and-counting-1992461> accessed 28 August 2022

Websites:

1. Cambridge University Press, “Ombudsman” (dictionary.cambridge.org)
<www.dictionary.cambridge.org/dictionary/english/ombudsman> accessed 7 July 2022
2. Ombudsman of the Government of Philippines, ‘History’ (ombudsman.gov.ph)
<www.ombudsman.gov.ph/about-us/history/> accessed 7 July 2022
3. Office Of The Ombudsman for United Nations Funds and Programmes, “What is an Ombudsman?” (United Nations, 2022) <www.fpombudsman.org/what-we-do/> accessed 10 July 2022
4. The Government of the United Kingdom, “The Legal Ombudsman” (gov.uk)
<www.gov.uk/government/organisations/the-legal-ombudsman#:~:text=The%20Legal%20Ombudsman%20for%20England,with%20the%20Ministry%20of%20Justice> accessed 14 July 2022
5. Internet Archive Wayback Machine, “LIST OF AGENCIES IN GOVERNMENT OF INDIA FIGHTING CORRUPTION” (web.archive.org, 10 May 2017)
<www.web.archive.org/web/20030526192725/http://cvc.nic.in/vscvc/guideanx7.pdf> accessed 15 July 2022
6. Lokpal of India, ‘About Lokpal’ (lokp.al.gov.in)
<www.lokp.al.gov.in/#:~:text=About%20Lokpal&text=The%20Act%20came%20into%20force,from%2028th%20May%2C2022> accessed 18 July 2022

7. Lokpal of India, 'Organizational Structure' (lokpal.gov.in)
<www.lokpal.gov.in/?about_us?organization_structure?0105> accessed 18 July 2022
8. Lokpal of India, 'Jurisdictions And functions Of Lokpal' (lokpal.gov.in)
<www.lokpal.gov.in/?about_us?Jurisdiction_and_Functions_of_Lokpal?0103> accessed 22 July 2022
9. Raj A, 'Lokpal' <www.legalserviceindia.com/legal/article-50-lokpal.html> accessed 14 July 2022
10. Decwatch.org, 'Bedava Bonus Veren Bahis' (23 July 2018)
<www.decwatch.org/?q=ombudsman> accessed 15 July 2022
11. Wafaqi Mohtasib (Ombudsman)'s Secretariat of the Government of Pakistan, 'Wafaqi Mohtasib' (Wafaqi Mohtasib.gov.pk) <www.mohtasib.gov.pk/> accessed 16 August 2022