

PRESIDENT'S SECRETARIAT (PUBLIC)
AIWAN-E-SADR

United Bank Ltd VS Muhammad Adnan

Subject: REPRESENTATION FILED BY UNITED BANK LTD AGAINST THE ORDER OF THE LEARNED BANKING MOHTASIB DATED 07.03.2022 IN COMPLAINT NO. 2021-13323

Kindly refer to your representation on the above subject addressed to the President in the background mentioned below:-

2. This representation has been filed by United Bank Ltd (UBL) on 05.04.2022 against the order of the learned Banking Mohtasib dated 07.03.2021, whereby it has been held that:

“In view of the above facts and observations, I, under the powers vested in me vide Section 82D of BCO,1962 read with Section 9 of Federal Ombudsman Institutional Reform Act 2013, allow the complaint and direct the Bank to pay / credit in complainant's account with an amount of PKR.31,985.90 which includes associated charges, forthwith and report compliance within 30 days of receipt of this order.”

3. Mr. Muhammad Adnan (the complainant) has been maintaining an account with the Bank's Mamun Kanjan Branch, Tandlian Wala, Distt Faisalabad. Reportedly, he received a call from an unknown number on 01-09-2021 and the caller introduced himself as a representative of the Bank. The caller asked him to divulge his account related details required for updating purposes and threatened him to block his account on non-sharing of credentials. Thus, he shared his account credentials with the caller. Thereafter, on the same day i.e. 01-09-2021, his account was debited by Rs.31,985.90. However, the Bank declined the complaint vide letter dated 19-11-2021 stating therein that the Merchant had not entertained the claim as valid slips were available with the Merchant. Thus, he escalated his complaint with the learned Banking Mohtasib for retrieval of his lost amount.

4. The Bank submitted its Investigation Report before the learned Banking Mohtasib stating that disputed transactions were conducted on 3D Secure Merchants. Moreover, Debit Card Number, CVV, Card Expiry and One Time Password (OTP) were utilized to execute the e-Commerce Transactions. Since 22-12-2020, all UBL Debit Cards have been 3D Secure so no call at Contact Centre is required by customers to activate their Internet Session for conducting e-Commerce Transactions.

5. Considering the respective stances, the learned Banking Mohtasib proceeded to pass the above mentioned order. Thus, the representation by the Bank.

6. Section 15 of the Federal Ombudsman Institutional Reforms Act, 2013 is as follows:-

“It shall not be necessary for the President or the Ombudsman to give personal hearing to the parties and the matter may be decided on the basis of available record and written comments filed by the Agency.”

The law thus empowers the decision of a representation on the basis of available record without personal hearing of the parties.

7. It may be appreciated that the complainant has informed through e-mail dated 22.08.2022 that a mutually agreed settlement has been reached between the complainant and the UBL. Besides, the UBL has also affirmed vide its "Approval Memo: Write-off Debit Card Claim" dated March 29, 2022 wherein conveying that Rs.31,985/- have been paid to Mr. Muhammad Adnan, complainant against fraud claim. In such circumstances of the case, the representation has become infructuous which may be disposed of accordingly.

8. The policy of the United Bank Ltd to settle the grievance/implementation of the orders of the learned Banking Mohtasib is laudable saving the public time of itself, this forum and others besides incurring of unnecessary expenditure on undue litigation.

9. Accordingly, the Hon'ble President, as per his decision above, has been pleased to dispose of the representation of the Bank as infructuous.

-Sd-
(Anwar-ul-Haq)
Director General (Legal)

The President/Chief Executive,
United Bank Limited,
Head Office at State Life Building,
I.I Chundrigar Road, **Karachi**

Mr. Muhammad Adnan,
S/o Mr. Muhammad Aslam, Street No. 9,
Ghousia Colony, Mamoon Kanjan,
Tandlian Wala, District **Faisalabad.**

No.80/BM/2022 dated 01.11.2022

Copy for information to:

- (1) Ms. Samreen Tanveer, PSO to Banking Mohtasib Pakistan, Banking Mohtasib Pakistan Secretariat, 5th Floor Shaheen Complex, M.R. Kiyani Road, Karachi.
- (2) Master file.

-Sd-
(Anwar-ul-Haq)
Director General (Legal)