

**PRESIDENT'S SECRETARIAT (PUBLIC)
AIWAN-E-SADR, ISLAMABAD**

Rep. No.86/WM/2022
Date of Decision: 27.01.2023

Ghulam Hussain Vs Employees' Old Age Benefit Institution

**REPRESENTATION FILED BY GHULAM HUSSAIN AGAINST THE ORDER OF THE
WAFAQI MOHTASIB IN COMPLAINT NO. LHR/6035/20**

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

2. This representation has been filed by Ghulam Hussain (the complainant) assailing the order dated 09.10.2020 of the Wafaqi Mohtasib whereby it has been held as under:-

“In view of the Agency's undertaking and in order to resolve this complaint of maladministration, the Agency is recommended to do the needful in accordance with its policy, procedures, rules and regulations within 30 days of the receipt of a copy of these findings and submit an implementation report to this Secretariat in terms of Article 11(2) of P.O. No.1 of 1983.

Foregoing in view, further investigation into the complaint is closed in terms of Regulation 23 (1)(f) of the Wafaqi Mohtasib (Investigation and Disposal of Complaints) Regulations, 2013, as the representative of the Agency undertook to provide the appropriate relief.”

3. The complainant had alleged that he had worked in Phoenix Security Service Private Limited, Lahore from 2001 to 2021 upto the age of 60-years and during service he deposited contribution to the Employees' Old Age Benefit Institution – EOBI (the Agency). According to him, after retirement he approached the Agency for grant of EOBI pension but to no avail. Feeling aggrieved, he approached the learned Wafaqi Mohtasib who passed the impugned orders, hence the instant representation.

4. The case was fixed for hearing on 05.01.2023. The complainant Ghulam Hussain whereas Dr. Tariq Mehmood, Regional Head, Islamabad along-with Abdul Rehman, Law Officer on behalf of the Agency have appeared.

5. The complainant's stance is that he had rendered from 2001 to 2021 in the Phoenix Security Service Private Limited, Lahore but the Agency has declined the payment of old age pension unjustifiably; that the impugned order is not based on law and facts which may be set aside.

6. The representative of the Agency has confirmed the service of the complainant is verified; entitlement of pension is admitted; that his employer has not deposited his contribution with the Agency for the period before 2015; that the Agency has asked the M/s Phoenix Security Service Private Limited for depositing of outstanding contribution but the security company has filed a Writ Petition No. 3274/2022 before the Hon'able Islamabad High Court, Islamabad which is still pending and that as and when the writ petition will be decided in the Agency's favour it will redress the grievance of the complainant.

7. In view of above assurance of the Agency's representative, the complainant may await the decision of the Hon'able Islamabad High Court, Islamabad in writ petition No.3274/2022 and the Agency will redress the grievance of the complainant as per its assurance given by its representative during the proceedings, accordingly. Thus, the representation is liable to be disposed of.

8. However, as his employment record is fully acknowledged before the Agency, it is being directed that the Agency make part payment of the period that had been fully paid up, to provide relief to the person who is being deprived of a promised payment due to no fault of his. Rest may await the verdict of the Court.

9. Accordingly, the Hon'able President has been pleased to dispose of the instant representation in the above terms.

-Sd-
(Asghar Ali)
Director (Legal)

Mr. Ghulam Hussain,
R/o Haji Sardar Ali Tawana,
GPO Khas, Mitha Towana,
Janubi Tehsil, District Khushab.
(Contact No.0306-6342077)

The Chairman,
Employees' Old Age Benefits Institution,
EOBI House, 190/B/1, Block-2, PECHS,
Karachi.

Copy to:

- i. The Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, Constitution Avenue, Islamabad.
- ii. The Press Secretary, President's Secretariat (Public), Islamabad.
- iii. Dy. Director General/ Focal Person for Law Department, EOBI, Plot No.32, 33, 34 EOBI Building, Mauve Area, G-10/1, Islamabad.