



TRANSPARENCY
INTERNATIONAL - PAKISTAN

Quarterly Report 2011
july - september

ALAC

TRANSPARENCY INTERNATIONAL
PAKISTAN

2nd Quarter Report

July 2011 – September 2011

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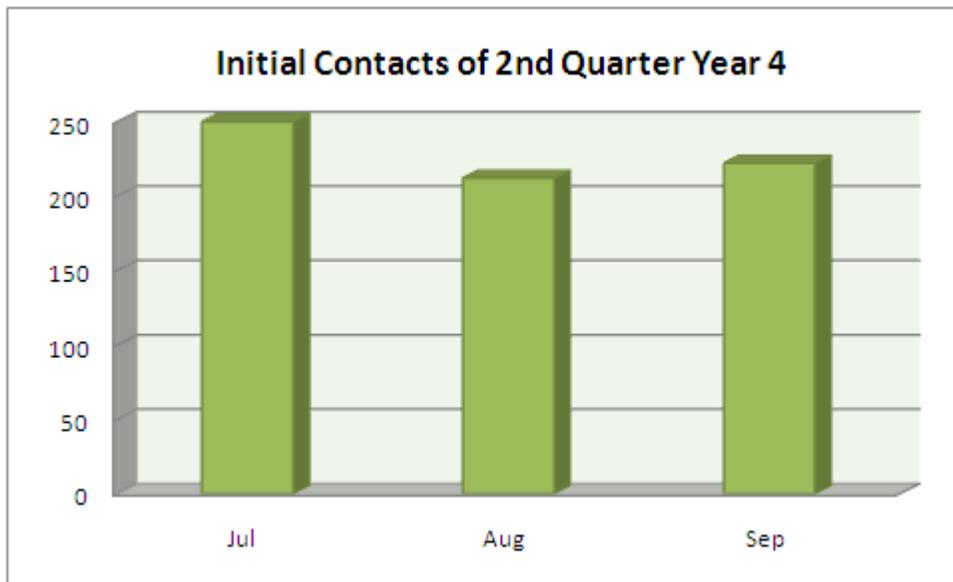
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INTRODUCTION

The 2nd Quarter of Year 4 showed the number of Initial Contacts (I Cs) totalled 684. In the last quarter it was 550. So there was an increase of 24%. The breakup was as follows:-

July	250
August	212
September	222

Most of the ICs were made in Procurement, Property Rights, Education and the Private Sector. The majority of the complaints are made by males; they constitute 81% of the total contacts, while the female share has been 6%. Compared to the female share of 4% in the last quarter, there has been an increase of 79%. ALAC is encouraging female members of the society to report corruption-related matters, but due to a lack of awareness few complaints by females make their way to the ALAC centre. Another reason for this low rate is less interaction of women in dealing with public departments. However, our TNN members operating at the grass-root level are helping to spread our message to the bottom level, and we expect more ICs from women.



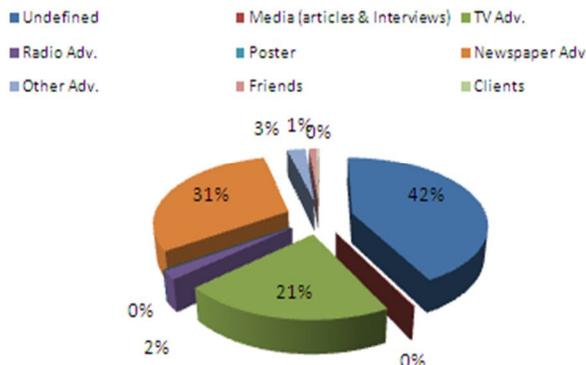
496 initial contacts are generated from urban areas, 89 contacts are from semi urban, 24 contacts are generated from rural and 109 contacts are undefined. The undefined are initial contacts which are either made by emails or some unknown sources. Out of 684 initial contacts, 121 ICs have been converted into cases giving a conversion rate of 18%.

HOW HEARD ABOUT ALAC

Unlike previous quarters, Newspaper advertisements have been the most effective advertising source for generating complaints. 289 ICs have been marked as Undefined; these are usually complaints referred by the Anti Fraud Hotline, or sometimes complainants do not inform their source, or some of them give us a missed call and when

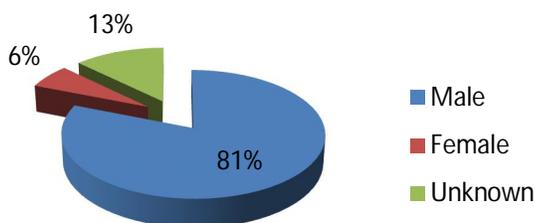
we dial their number, they do not respond. However, 21% of the complainants reported that TV Advertisements is their source and 31% Newspaper.

How Heard about ALAC



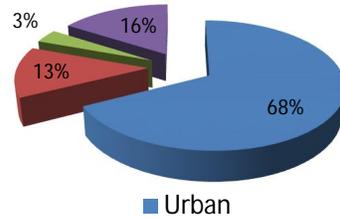
A. EMPOWER VICTIMS AND WITNESSES OF CORRUPTION TO ADDRESS THEIR GRIEVANCES

According to the statistics, most of the complainants were male; 79% increase is recorded in female contacts with respect to the previous quarter. However, their share in the total contacts is low, only 6% contacts are females.



According to the geographical segmentation, we received most of the complaints from urban areas where people are more aware of their rights, and due to easy accessibility to the institution for handling such complaints. In this quarter, we received 89 contacts from semi urban areas, and 24 from rural, whereas in the last month, we received 29 contacts from rural areas. The undefined category is complaints where either complainants contacted us through emails, or did not contact us properly. In this case, they only call us on our hotline number after office hours, and when we call them next morning they did not respond so it was not possible to ascertain their location. We repeat the process of calling (usually 3 or 4 times), and if the complainant does not attend our call, we close the initial contact after a particular period of time.

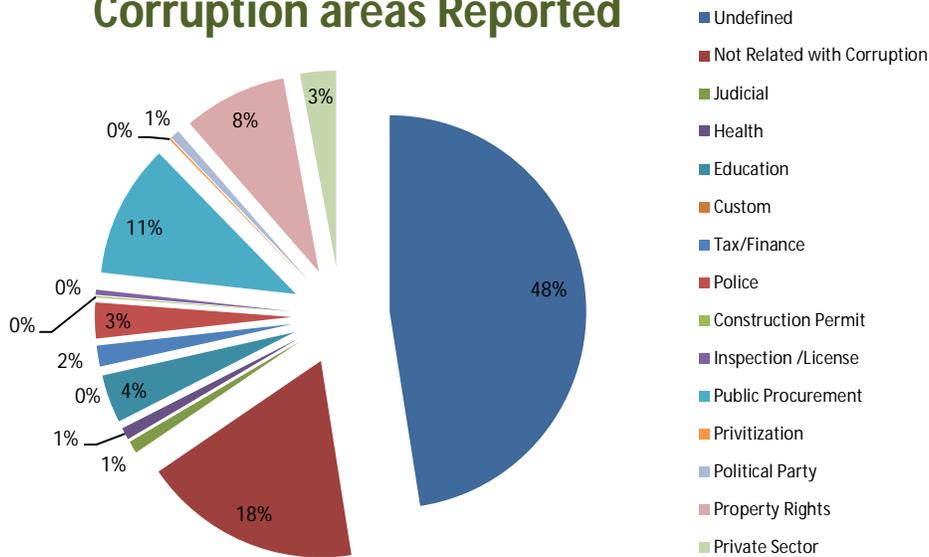
Location



68% of the complainants were from urban areas, 13% are from semi-urban and 3% of the complainants are from rural areas.

Most of the Initial Contacts had been recorded in Undefined, their ratio to IC s remains almost the same in every quarter. These are cases of fraud, non performance of government individual, related with National Database and Registration Authority, Karachi Electric Supply Corporation, other electric supply corporations, individual domestic matters, red tape etc, such are being clubbed under undefined.

Corruption areas Reported



Majority of IC's in this quarter pertained to Public Procurement Area. The conversation rate of these Procurement ICs into Cases is very high i.e. 96%. Most of the Procurement cases were identified through tender notice published in daily newspaper scanned daily or by bidders pointing out corruption in a particular tender. In our previous reports we have already defined the reason of high conversion rate in procurement and relative low conversion rate in other areas. In other cases, evidences are to be obtained from the complainant which is difficult. Subsequently, it restricts us from converting into a case.

The other areas where most of the complaints had been received are Property Rights, Education, and Police.

B. SYSTEMIC CHANGE IN POLICY AND PRACTICE OF PUBLIC AND NON-STATE ACTORS TO FIGHT AGAINST CORRUPTION

The Public Procurement Rules 2004, Sindh Public Procurement 2010 and Punjab Public Procurement Rules 2009 are in their implementation phase. Public Private Partnership is now a part of Punjab PPRA and Sindh PPRA respectively. In this quarter, we have started a program in Toba Tek Singh by connecting with the Police Department, which besides meeting our other objective, would also help to change the perception of the Police Department among the citizens.

1. LEGAL ADVICE AND SERVICES TO VICTIMS OF CORRUPTION

Most of the complaints we have received in Procurement are from the advertisement of tenders published in local newspapers. When rules of procurement are violated by any procuring agency, TI-P usually write to them and inform the violation and request them to take corrective actions. Through these communications, we have observed, procuring agencies of public sector are learning and making adjustment in their procedure of procurement. We, therefore, consider it a success as a whole.

Property Rights are the second highest sector in terms of generating public complaints, where, some of the complaints refer the violation of the rules of Sindh Building and Control Authority. TI-P has informed these violations to the Govt. Authorities and has requested them to do the needful according to the laws if the complaints are genuine. TI-P does not investigate the matters; it only seeks evidence from complainants, scrutinizes them at its end, and then sends it to the relevant authority for their disposal. We have observed that, in property matters, citizens are not aware of these laws. Due to their ignorance, they prey to the builder mafia.

The other prominent sectors where complaints are received are Education, Police, Taxes and Finance. In this quarter, 5 cases have been successful, and 20 partially successful.

2. ALAC DEMAND FOR IMPROVED GOVERNANCE BASED ON PERSUASIVE EVIDENCE

With the help of our TNN Punjab Coordinator, we have started a program in Toba Tek Singh aimed to curb corruption by building bridges between the citizen and the police. The program “**Say No to Corruption**” in collaboration with the Police Department, selected three police stations in each Tehsil (sub-district) of Toba Tek Singh. It is a part of ALAC’s advocacy campaign.



We have targeted this department due to following reasons:

1. According to the National Corruption Perception Survey (NCPS) 2010, the police department was perceived to be the most corrupt department in the country.
2. Keeping in view the current law and order situation of the country, we think that a strong relationship between the citizens and the police department will certainly be very helpful.
3. ALAC receives considerable number of complaints against the police. There is also a perception that many complaints against the police are not reported.

In a session held on September 30 2011, a police official addressed the attendants and said that the police are functioning to serve and protect the public, instead of ruling over them. He spoke on the subject of '**Rule of Law**'. He further talked about the '**People's Right for Registering a First Information Report (FIR)**' without bribing or without fear or reluctance. He said,



“Our policemen sacrifice their lives for the safety of the public more than any other public department; they don't spend their time marking this department with the highest volume of corruption.”



He requested the public for their collaboration to adopt a friendly attitude towards the police and assisting in its result-oriented work. He gave his cell number and that of the District Police Officer so that the public can have easy access to the senior officials. He headed the Program on behalf of the DPO & DCO of Toba Tek Singh.

Another speaker, an advocate, elaborated the importance of peace and tolerance. He said that we do not have the required temperament resulting in confrontation – even physical assault/fighting among individuals/families. These quarrels start over minor issues that then become the main causes that overburden the police and the judiciary. Because of this, the police and judiciary's precious time gets wasted. He advised people to promote peace and tolerance so that the police may channel their resources and energies on development instead of wasting them on petty, solvable issues.



The program will continue in the month of October 2011. ALAC has been requested by the Police Department and the citizens to develop this program in the remaining eight police stations of the districts as well.



3. ENGAGEMENT OF PUBLIC INSTITUTIONS

For the implementation of advocacy and bringing broader reforms, engagement with public institution plays an important role. Due to our advocacy campaign in Toba Tek Singh Punjab, District Police Officer (DPO) and District Coordination Officer (DCO) of Toba Tek Singh assured their full support to our cause. They directed their subordinates to cooperate with TI-P's representatives and play their part to make the program a success.

We are also in contact with other Public Departments through letters to the various public institutions communicating the corruption faced by the citizens. Our work in procurement needs us to establish a strong partnership with Public Procurement Regulatory Authorities. According to the Excel Monitoring Tool, we are at the cooperation level with PPRA, Punjab and Sindh Public Procurement Regulatory Authority. We are also in contact with the Attorney General of Pakistan, NAB, PAC and various complaints are referred to them.



4. EFFECTIVE COALITIONS AGAINST CORRUPTION

ALAC is joining hands with its partners in its fight against corruption. Through this relationship, we are able to start our advocacy campaign “Say No to Corruption” by a liaison with the Police Department in Toba Tek Singh. We are working on establishing our relationship with organizations working for the women of Pakistan. This will help us empower women at the grass-root level in our fight against corruption.

5. REPORT ON RISKS / UNEXPECTED FACTORS INCLUDING PHYSICAL SECURITY

As in the first quarter, the law and order situation has been disturbed in the city. Violence, strikes and unavailability of public transport has caused a lot of hardship for the staff. This affects the overall efficiency of the staff. However, the situation varies daily and general precautions are always taken.

6. PROJECT MANAGEMENT ISSUES

The situation is not much different than the previous quarter. In fact in this quarter, number of Initial Contacts has been the highest since the start of this project ALAC is doing the needful within its resources to meet the expectation of the citizen.

We are also educating complainants on how to approach the existing government complaints cell, and offices, and the way they should communicate their problems. Government failure in meeting with the expectations of public is also raising citizens' expectation towards institutions like ALAC. Therefore we are also trying to improve staff capacity through workshops and trainings. Although, we are using TNN members and our partner NGOs to help us conducting workshops and communal gatherings in other

provinces, but ALAC's own presence in these gathering is very important, and will help to make these programs more effective.

7. SUSTAINABILITY, INNOVATION, BEST PRACTICE/LESSONS-LEARNED

On the basis of the analysis of the last three quarters, we have received initial contacts in larger numbers. In this quarter, we have received the most Initial Contacts so far. This shows that an increased number of people are engaged and getting our messages. In this quarter we have successfully converted 18% of our ICs into cases. For project sustainability, the ALAC staff will participate in a Training Workshop on Fund Raising, and its outcomes will help them understand the fund raising process.

Working with the Police Department specifically in an effort to improve their relationship with the citizens of one of the districts of Punjab is a new idea. We have also involved our TNN Coordinator, and he (along with his team) is effectively playing that role. This proves that the public departments are not averse to collaborating with civil society organisations to improve their image.

8. WORKPLAN FOR THE NEXT QUARTER.

In the next quarter, we will continue working with the Police Department in Toba Tek Singh, and hopefully extend it to its other Tehsils (Sub-Districts). Based on the outcome of this program, ALAC will recommend the police department of Toba Tek Singh to make their First Investigation Report mechanism effective. Citizens report problems when trying to register FIRs and face problems in lodging their complaints.

For improving staff capacity, ALAC staff will participate in a two-day training workshop on Fund Raising. This will help them deliver the outcomes in project sustainability.

We will continue our advertisement campaign in the print and electronic media, and will reach out to the masses with our message. In our relationship with the Transparent NGO network (TNN) Punjab we have sustainability, but at the same time we have plans to extend this network.

ANNEX 1. CONTACTS & CASES

See attached sheets.

1. Initial Contacts (Contacts_PK_20110701_20110930)
2. Cases (Contacts_PK_20110701_20110930)

ANNEX 2. EXCEL MONITORING TOOL

See attached Excel Monitoring Tool file

ANNEX 3: MATERIALS PRODUCED for 2nd Quarter

ITEM	DATE	TITLE OR DESCRIPTION OF MATERIAL	ACCESS WEB SITE (IF ANY)
01	September 2011	2000 Pens	No

Annex 4

HUMAN INTEREST STORIES

Complaint against a Police Official

Dr. Adnan* sent a complaint to the Deputy Inspector General DIG D.G. Khan. The complainant alleges that DSP DG Khan has an understanding with land grabbers. He supports criminals and misuses his entrusted powers.

The complainant also alleged that, in his own case, the DSP is not fulfilling his responsibilities. In his case, a fake stamp paper which was drafted for a land transferring, written on 16-9-2009 was certified on 15-9-2009. Moreover, the stamp paper vendor had died four months earlier which made the whole process reek of a blatant sham. The complainant alleged that the DSP didn't register an FIR in the concerned police station. It was registered only at the intervention of the concerned court. He also alleged that there had been many FIRs lodged against land grabbers, but DSP was not taking any action against them and was involved in illegally releasing the accused.

ALAC wrote a letter to the Inspector General (I.G.) Police and requested him to look into this matter. On ALAC's request, the I.G. set an inquiry team to investigate the matter and the merits of the allegations. After the inquiry, ALAC received the report which concluded that the charges against DSP had not been proven.

An inquiry was conducted on ALAC's request, which we consider to be a success.

Police Official with Criminals

Muhammad Juman* s/o Saeed Khan Village Allahdad Laghari, Singhoro, District Sanghar informed ALAC that he had filed an FIR against Fawad and Sher Ali, but the police had not arrested them. Fawad and Sher Ali were threatening to kill him and his family. He wanted the police to give him the due security.

ALAC advised him to file a petition against the Station House Officer (SHO) of that police station and the accused persons in the High Court.

When contacted again, ALAC inquired about the petition's status from the complainant. He informed us that he had filed a petition, and the court had directed the police to arrest the accused persons. Subsequently, the police arrested them and the complainant got the relief that he had sought.

A Case of Property

Salman* who was from Sadiqabad, Punjab contacted ALAC and reported a matter regarding fraud by his partner in the business of spare parts.

On September 2, 2011 he told us that he had purchased a shop from Mr. Saud, and started a spare parts business with his friend who then became his partner. Later on, his partners committed a fraud with him and occupied the shop and kicked him out. At that time the complainant required legal advice from ALAC because he was not aware of his legal rights. An ALAC lawyer advised him to file a civil suit in the concerned court for specific performance possession and recovery of the share amount.

False Documents of a Car

A complainant named Mr. Khan* stated that 10 years ago he purchased a car with a Karachi number plate. After 6 months from the date of purchase, when he went for the renewal of the license, he came to know that a person (unknown to him) had made a false document of ownership of his car. He filed a case and the court ordered the excise department to cancel the false registry. However, whenever he visited the Excise department, they would not follow the court order, which meant they were unnecessary delaying a legal process.

An ALAC lawyer advised him to obtain a certified copy of the Court order then apply for the transfer of the vehicle on his name to the Excise department. In case they refused to do so, he should file a contempt of court in the same court which passed the order in his favour. With this advice, the complainant was informed to contact ALAC if he faced any difficulty in its execution; the complainant happily took this advice, and left satisfied.

Officer asking bribe from Traders

Abdul Ghafor* who was a resident of Rawalpindi Punjab contacted ALAC and stated his problem. He was a trader by profession. In 2008, the Federal Board of Revenue (FBR) issued a SRO in which some exemption was given to traders. In 2011, when the audit was being conducted by the Sales Tax department, which is governed by the FBR, the auditors were pressurizing the traders and asking bribe from them. The officers were not considering the exemption, and asking for Rs. 1.8 million.

ALAC advised him to file a writ petition, along with the other aggrieved traders, in Rawalpindi High Court against the Sales Tax department for harassment. He was further

advised to file a complaint to the Chairman of FBR with a copy being sent to the Finance Minister. ALAC empowers citizen when they face corruption, and encourages them to take it up with the concerned authorities. Meanwhile, ALAC offers its continuous support to victims if they need advice of technical and legal nature. We also asked for a written application with the relevant documents so that ALAC may intervene on their behalf.

On July 25 2011, ALAC contacted him to know the update of his case. He informed that as per ALAC's advice he wanted to file a writ Petition in court collectively, and soon he would be able to convince other effected persons to file a joint petition in the High Court. Later on, when ALAC contacted Abdul Ghafor, he informed us that with the help of ALAC's advice, he had approached the Chief Commissioner Sales Tax who deals with such matters at the regional level. After the request of the complainant, the Commissioner ordered to stop the payment of Rs.1.8 million by the traders until the matter was resolved according to the law.

Rented House Case

Mr. Farooq* from Lahore, Punjab reported to ALAC that he rented his house last year to a person whose brother was a judge and another was an advocate. After one year, he was neither paying the rent nor vacating the premises. The complainant had to file a rent case against them, but the judge of the said court was favouring the tenant and delaying the matter. He needed advice as the tenant was using his relationship with the rent controller as he belonged to the legal fraternity and had sources within the judiciary.

On July 9, 2011, ALAC contacted him, and advised him to file a complaint against the Judge who was favouring the tenant due to his relationship with the Judge and advocate to the Chief Justice Lahore High Court and Member Inspection Team (MIT) Lahore High Court. He was further advised that request for a transfer application in District Court Lahore for transferring the case to any other Court should be filed. He agreed to follow ALAC's advice.