

Housing Complaints Cell

The Earthquake of 8th October, 2005 was the most debilitating natural disaster in Pakistan's history in terms of scale and damage. Housing sector predominantly the rural housing was the worst hit sector of the earthquake as over 600,000 houses were damaged as a result thereof. In this backdrop, launching of Rural Housing Reconstruction Programme in the post disaster era was truly a daunting task in the rugged terrain which the ERRA undertook as a challenge. This has emerged as a flagship recovery program of ERRA under the owner-driven approach for construction of seismically resistant houses for the earthquake affectees.

Over 612,000 houses were damaged in different categories for which about Rs. 86.0 billion have been disbursed to the affectees under this program which of course is a great accomplishment. Despite this impressive endeavour, some affectees/ complainants do not feel satisfied. It has been observed that they either did not start constructing their houses in time or failed to meet ERRA standards devised in consultation with the donors, sponsors and the international financial institutions.

ERRA has been cognizant of affectees' grievances hence established a dedicated office since its inception- Housing Complaints Cell- for dealing with grievances/complaints made by the earthquake affectees directly or indirectly through multiple official and unofficial sources regarding claims of compensation for their damaged houses. Affectees of the nine districts of AJK and NWFP- Mansehra, Abbottabad, Battagram, Kohistan and Shangla of Northern Frontier Province of Pakistan (NWFP) and Mugaffarabad, Bagh, Neelam and Poonch districts of Azad Kashmir approach to this office for redressal of their grievances.

However, major complaints come from the visitors who bring their own and their relatives' cases for checking of status of particular tranches of housing subsidy and redressal of other grievances related to Housing sector of ERRA. Parliamentarians and elected Nazims also bring lists of the affectees of their areas for the same purpose. In addition to above, complaints also come from the indirect sources which are forwarded to ERRA. General forwarding channels/offices are the President's Secretariat, Prime Minister's Secretariat, Federal/ Provincial Ministers, Parliamentarians, Chairman ERRA, Deputy Chairman's Office, Army Formations, International/ local NGOs, SERRA/ PERRA/ DRUs, etc.

Federal Ombudsman (Wafaqi Mohtasib) is the official forum where individuals approach against the Government Agencies including ERRA for redressal of their grievances. General complaints are regarding delay in release of tranches, rectification in the record and request for survey.

ERRA has been striving hard for redressal of the grievances of the earthquake affectees. Housing Complaints Cell has attended/ handled more than eight thousand complaints at the ERRA headquarters during January, 2009 to May, 2009. It is worth mentioning that at the grass root level, system is also in place and five Data Resource Centres (DRCs) are working in different districts of AJK under SERRA for handling of Housing complaints. Similarly, five Data Resource Centres are working in different districts of NWFP for the same purpose. Data Management Centre in Abbottabad also handles such matters under SERRA. All these centres resolve the affectees' problems in the local offices.

However, the unresolved complaints are referred to ERRA headquarters where Housing Complaints Cell attends complaints forwarded by the field formation. Similarly, complaints forwarded from official channels are also addressed here as complainants try to seek help from the higher public authorities. Last but not least, visitors approach this office for immediate action/ information in their cases when they feel dissatisfied with the reply at the grass root level.

On the specific directions of the Deputy Chairman, Mobile Teams comprising of Director Housing Complaints and Programme Manager Rural Housing ERRA visit field offices in each district for on spot redressal of affectees' grievances and alleviation of their hardships regarding housing subsidy. Over 700 cases have been resolved during these visits.

It needs to be highlighted here that the Honourable Wafaqi Mohtasib has passed decisions in 987 cases (up to 1st June, 2009) wherein 922 decisions have been made in ERRA's favour whereas 65 cases have been decided against ERRA indicating 93.4 percent success rate of ERRA in the complaints lodged by the complainants. A very high percentage of success of ERRA is an independent certification and great emblem of the transparency and credible work made in the rural housing program.

Housing Complaints Cell
Summary of Cases Handled
Period : October, 2008 to March, 2009

| S.No. | Description | Total Complaints Received in Six Months + BF Cases | Complaints Handled/Responded | | | | | | | | Complaints Disposed off in Six Months | Under Process |
|--------------|---|--|------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------------------------------|---------------|
| | | | 2008 | | | | 2009 | | | | | |
| | | | October | November | December | Total | January | February | March | Total | | |
| 1 | Replies sent to the Presidency, Prime Minister's Secretariat, Parliamentarians, Chairman's Office, Deputy Chairman's Office, Military Formations, Ministries, and Complainants etc. | 1290 | 354 | 113 | 121 | 588 | 168 | 123 | 189 | 480 | 1,068 | 222 |
| 2 | Comments sent to Law & Justice Division in Representations made to the President of Pakistan against the Wafaqi Mohtasib Decisions. | 38 | 13 | 10 | 1 | 24 | 3 | 2 | 9 | 14 | 38 | 0 |
| 3 | Represented before Hon' able Wafaqi Mohtasib in Hearings. | 446 | 45 | 62 | 80 | 187 | 63 | 52 | 61 | 176 | 363 | 83 |
| 4 | Reconsideration Petitions made to the Honourable Wafaqi Mohtasib. | 25 | 11 | 10 | 1 | 22 | 1 | 1 | 1 | 3 | 25 | 0 |
| 5 | Complainants informed about Status of MoU's/ Corrected Record/Explained ERRAs policy to complainants/visitors. | 13,222 | 1,625 | 2,463 | 1,620 | 5,708 | 1,774 | 2,637 | 2,956 | 7,367 | 13,075 | 147 |
| Total | | 15,021 | 2048 | 2,658 | 1,823 | 6,529 | 2,009 | 2,815 | 3,216 | 8,040 | 14,569 | 452 |

Note:

1. 14,569 cases were responded/ handled during Oct., 2008 to March, 2009. However, 452 complaints were under process as of 1st April, 2009.
2. BF: Brought forward from previous month.

Summary of Cases Handled in April, 2009

| S.No. | Description | Brought forward from previous month | April, 2009 | Total Stock | Status of Cases Attended | | Disposal | Under Process |
|--------------|--|-------------------------------------|-------------|-------------|--|--------------------|----------|---------------|
| | | | | | Valid/ Resolved | Invalid/ Regretted | | |
| 1. | Replies sent to the Presidency, Prime Minister's Secretariat, Parliamentarians, Chairman's Office, Deputy Chairman's Office, Military Formations, Ministries and Complainants etc. | 222 | 240 | 462 | 128 | 159 | 287 | 175 |
| 2. | Comments sent to Law & Justice Division in Representations made by the complainants to the President of Pakistan against the Wafaqi Mohtasib Decisions. | Nil | 8 | 8 | Comments sent in 8 cases contending that Honourable Wafaqi Mohtasib decision in favour of ERRA may kindly be upheld. | | 8 | Nil |
| 3. | Represented before Hon'able Wafaqi Mohtasib in Hearings | 83 | 30 | 113 | 24 cases were decided in ERRA's favour while two cases against ERRA. Balances cases are fixed for hearing. ERRA represents cases in hearings. | | 26 | 87 |
| 4. | Reconsideration Petitions made to the Honourable Wafaqi Mohtasib | Nil | Nil | Nil | Nil | | Nil | Nil |
| 5. | Complainants informed about Status of MoU's/ Corrected Record/Explained ERRA's policy to complainants/visitors. | 147 | 4375 | 4564 | 1965 | 2454 | 4429 | 135 |
| Total | | 452 | 4653 | 5147 | 2093 | 2613 | 4750 | 397 |

Note: 24 cases in ERRA's favour and 2 against ERRA at serial no.3 have not been included neither in resolved nor regretted category as these decisions have been made by the Honourable Wafaqi Mohtasib. ERRA represented these cases in hearings before the Wafaqi Mohtasib.

**Wafaqi Mohtasib Decisions
Cumulative Position as of 1/05/2009**

| Description | No. of Cases |
|--|--------------|
| Total Decisions made by the Hon'able Wafaqi Mohtasib | 895 |
| Decisions in Favour of ERRA | 830 |
| Decisions Against ERRA | 65 |
| Percentage of Favourable Decisions | 94% |

**Implementation Status of Cases
Where Decision have been made against ERRA
Cumulative Position as of 1/05/2009**

| Description | No. of Cases |
|--|--------------|
| Implementation Completed | 45 |
| Implementation in process | 08 |
| Non-Implemented on the basis of Report from the UN-HABITAT Teams- Report has been submitted to Honourable Wafaqi Mohtasib indicating that these decisions are not implementable as per ERRA policy. | 7 |
| Representation made by ERRA to the President of Pakistan – <i>Decision not made so far</i> | 1 |
| Decisions in Verification Process- Status will be determined as the reports are received from the UN-HABITAT Teams | 4 |
| Total | 65 |

Note: Ground Verification of Houses in pending 4 cases against ERRA is under Process of UN-HABITAT/Military.

Implementation Status of Cases
Where Decision have been made against ERRA
Cumulative Position as of 1/06/2009

| Description | No. of Cases |
|--|--------------|
| Implementation Completed | 47 |
| Implementation in process | 06 |
| Non-Implemented on the basis of Report from the UN-HABITAT Teams- Report has been submitted to Honourable Wafaqi Mohtasib indicating that these decisions are not implementable as per ERRA policy. | 7 |
| Representation made by ERRA to the President of Pakistan – <i>Decision not made so far</i> | 1 |
| Decisions in Verification Process- Status will be determined as the reports are received from the UN-HABITAT Teams | 4 |
| Total | 65 |

Note: Ground Verification of Houses in pending 4 cases against ERRA is under Process of UN-HABITAT/Military.