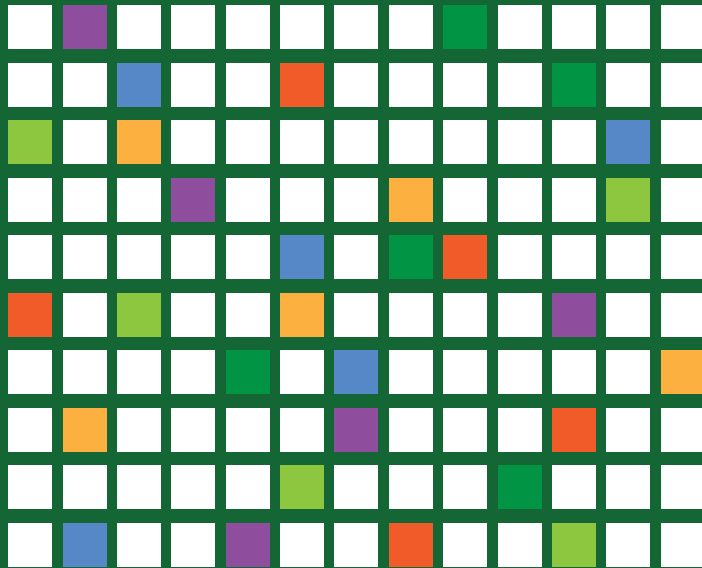




# COMPLAINT HANDLING

MAR 2020 – FEB 2023



ISSUED BY

NATIONAL COMMISSION ON THE RIGHTS OF CHILD



**National Commission on the Rights of Child (NCRC)** was established by the Government of Pakistan under National Commission on the Rights of Child Act- 2017. The mandate of the National Commission on the Rights of Child in section 15 is to examine, review laws, policies, inquire into violation of child rights, examine international instruments and undertake periodical review of existing policies and programmes on child rights and make recommendations for their effective implementation in the best interest of children; advise the Federal Government to sign, ratify or accede to any proposed International Treaties, Protocols, etc.

---

Published with the support of



# Contents

<b>Message from the Chairperson.....</b>	<b>1</b>
<b>Vote of Thanks.....</b>	<b>2</b>
<b>Brief Analysis .....</b>	<b>3</b>
<b>Composition of the NCRC.....</b>	<b>4</b>
The Composition .....	4
Powers and Functions of NCRC .....	5
The Mandate.....	6
Strategic Plan of NCRC 2022 - 2026.....	6
Complaint Handling Mechanism.....	7
<b>Complaints Data .....</b>	<b>8</b>
NCRC Complaints Database Mar 2020- Feb 2023 .....	12
Case Study 1.....	13
Case Study 2.....	14
Press Coverage on Complaints Handling .....	15
<b>Standard Operating Procedures (SoPs) for Complaint Handling .....</b>	<b>17</b>
<b>Assigned File Numbers for Complaints .....</b>	<b>34</b>



# Message from the Chairperson

After enactment of National Commission on Right of the Child ('NCRC Act, 2017') in 2017, the Federal Government constituted the commission in February 2020 for three years term which will be completed on Feb 27, 2023. During this term, complaint handling was one of our major focus. Protection of right of children through monitoring and handling complaints of alleged violations of child rights remained our strategic priority.

Despite many challenges which may include lack of adequate budget, limited equipment, deficient IT tools for managing database and with some short term borrowed technical staff, we were able to provide individual relief in many complaints and brought systemic changes through quasi-judicial functions of the Commission.

I want to express my gratitude to EDF/ Ministry of Commerce and UNICEF for their assistance in appointing legal advisors. At the end, I would like to appreciate our legal and complaint handling section for their contribution in challenging environment with limited resources.

**Afshan Tehseen,**

Chairperson

Feb 22, 2023



**Our functions were guided by the NCRC Act, 2017 primarily however we endeavored to align these functions with the United Nation's Paris Principles and the General Comment No. 2 of the United Nations' Committee on the Rights of the Child. This interactive report analyses our complaint handling function.**

# Vote of Thanks

I would like to extend my gratitude to the Export Development Fund ('EDF') of the Ministry of Commerce, Government of Pakistan for providing support to strengthen complaint handling mechanism of NCRC in July 2022. Through this support, we were able to develop a dedicated 'Legal and Complaint Section' which assisted the Commission in fulfilling its mandate in exercising its quasi-judicial powers. Additionally, we developed Standard Operating Procedure for complaint handling and extended our support to provincial labour departments in reforming laws and rules in the domain of child labour to improve compliance of ratified conventions particularly ILO Conventions in Pakistan.

**Jawad Ullah,**

Member (KP) NCRC,  
Incharge EDF Project  
Feb 22, 2023

# Brief Analysis

According to section 15(e) and 15(k) of NCRC Act, 2017, NCRC handled 338 complaints during March 2020 to February 2023 related to child rights violation from all provinces of Pakistan. A standard complaint was processed in three stages i.e. from (i) registration and admissibility stage to (ii) inquiry stage and (iii) hearing, disposal or referral stage. A complaint was processed in 90 days on average.

Out of 338 complaints, 49% complaints were from Punjab, 23% from Balochistan, 11% from Sindh, 9% from ICT and 8% from KP. Child sexual abuse were the highest among complaints categories. This report highlights other categories in detail.

Some high-profile complaints of child rights violations include forced conversion case of Arzoo Raja in Karachi, child domestic labour case of Zahra Shah in Rawalpindi and Safia Inayat case of early marriage from Chitral. NCRC also conducted various in person hearings during the 4th quarter of 2022. These include custodial torture complaint of ICT, expulsion of student belonging to minorities complaint and adverse environmental impact of WASA's wastage tank on an educational institute from Punjab.

**The Commission was able to brought systemic changes through its complaint handling function. In the Custodial Torture complaint, referred by the Senate Standing Committee on Human Rights, NCRC recommended that Police Order 2002 should be extended in ICT and rules of Juvenile Justice System Act 2018 should be notified at Federal and Provincial levels. As a result, the Police Order 2002 has been extended to ICT.**

In a Writ Petition No. 4607/2021, titled Sania Shehzad Vs. Deputy Commissioner and others, NCRC recommended to constitute a child protection committee at ICT. As a result, and on the directions of Hon. Islamabad High Court, the Chief Commissioner ICT notified a child protection committee on November 30, 2022.

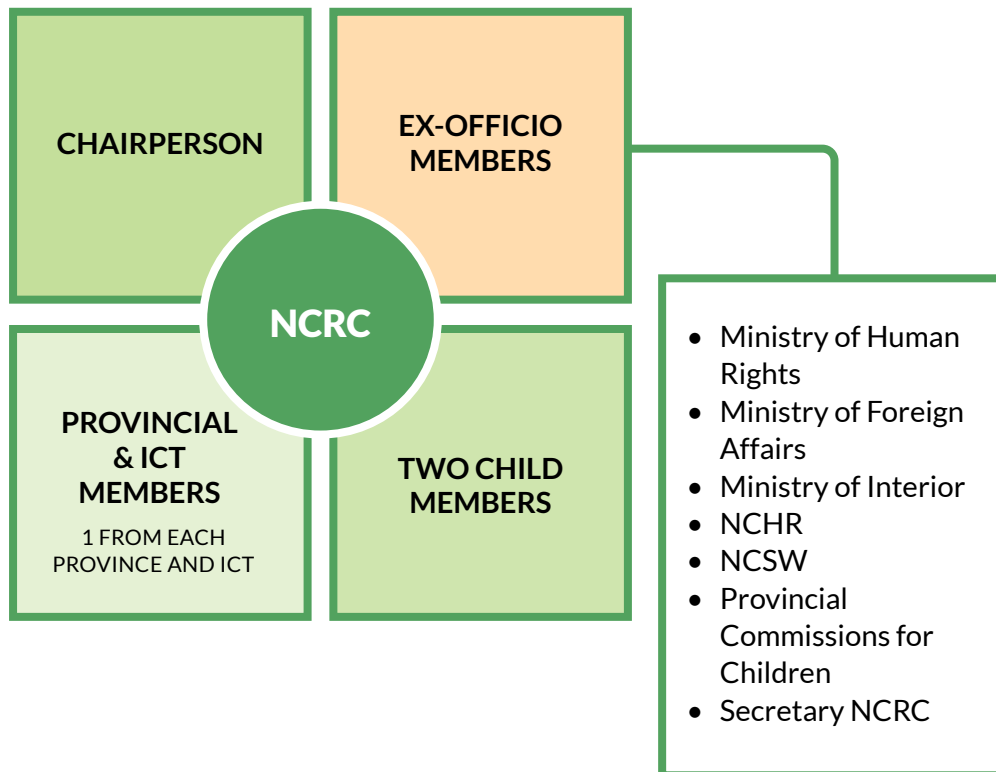
# Composition of the NCRC

The Commission consists of a Chairperson and seven members (one from each of the 4 provinces, one from ICT, and two child members). It also includes ex-officio members - i.e., civil servants of grade 20 and above - from the Ministries of Human Rights, Interior, and Foreign Affairs, the Chairs of the provincial children's commissions, and the Chairs of the NCHR and NCSW.



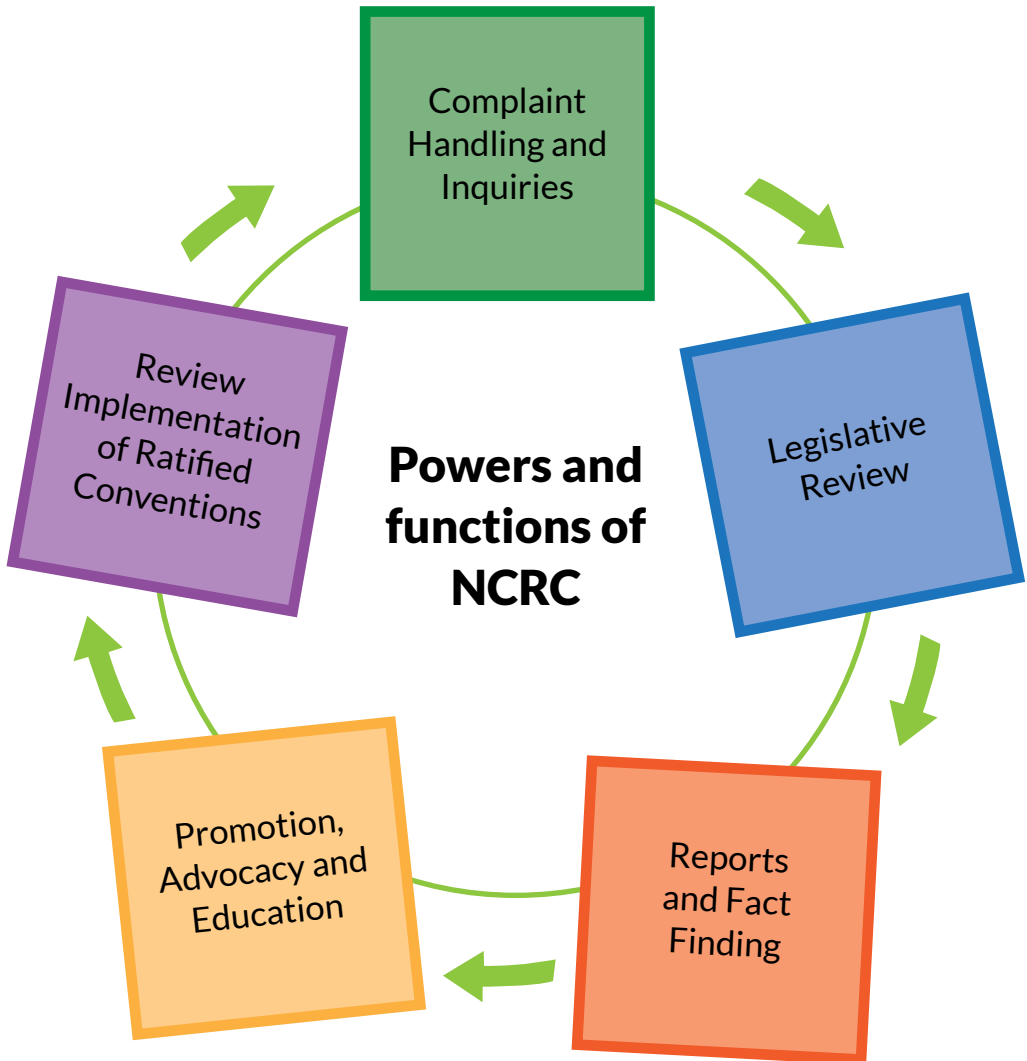
## The Composition

The Commission constitutes of following officials:

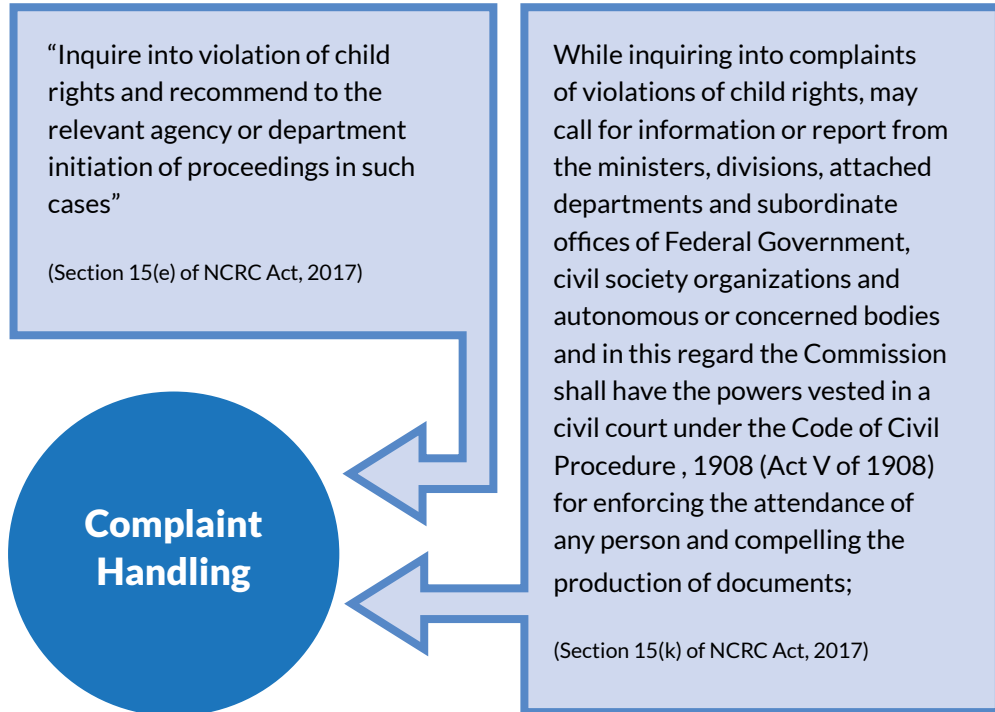




# Powers and Functions of NCRC



## The Mandate



## Strategic Plan of NCRC 2022 - 2026

No.	Description	Indicators	Status
Strategic Priority No. 5	Monitoring violation of child rights	Establishment of Complaint section and database	Completed
		Development of Complaint Handling and Referral Mechanism	Completed
		Notification of Complaint Rules	Rules drafted and SoPs issued.

# Complaint Handling Mechanism

## Stage 1: Registration and Initial Assessment

- Database entry
- Verification of complaint
- Contact with complainant
- Admissibility check



MAXIMUM

06

DAYS

## Stage 2: Seek Information or Report

- Refer to suitable institution, if complaint is not admissible, inform the complainant and close the complaint or;
- Call for information or report from concerned institutions if complaint is admissible.
- 1st reminder (10th Day)
- 2nd Reminder (20th Day)



MAXIMUM

40

DAYS

## Stage 3: Inquiry, Hearing, Referral and Disposal

- If NCRC is not satisfied from reports, It may summon record and/or enforce attendance of any person from relevant institutions for face-to-face inquiry.
- Seek amicable settlement through negotiation or conciliation as per law.
- NCRC may issue findings/recommendations with reasoning, if complaint is not resolved through mediation or conciliation as per law.



MAXIMUM

44

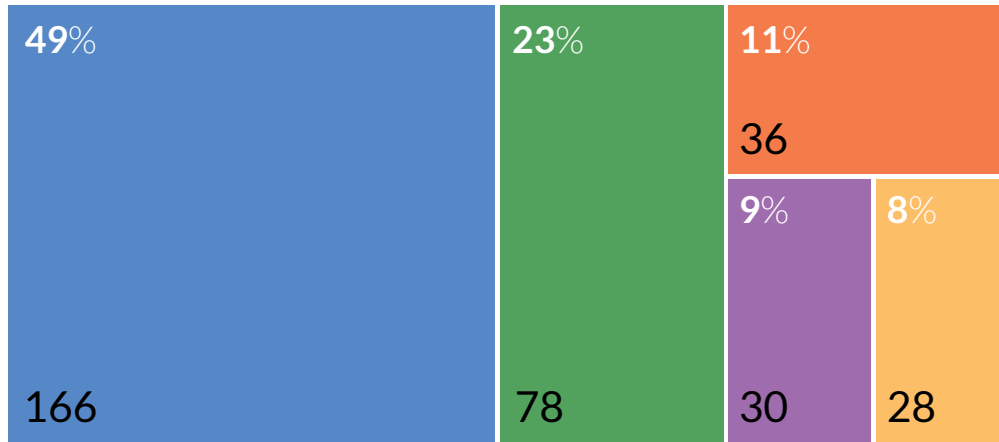
DAYS

# Complaints Data

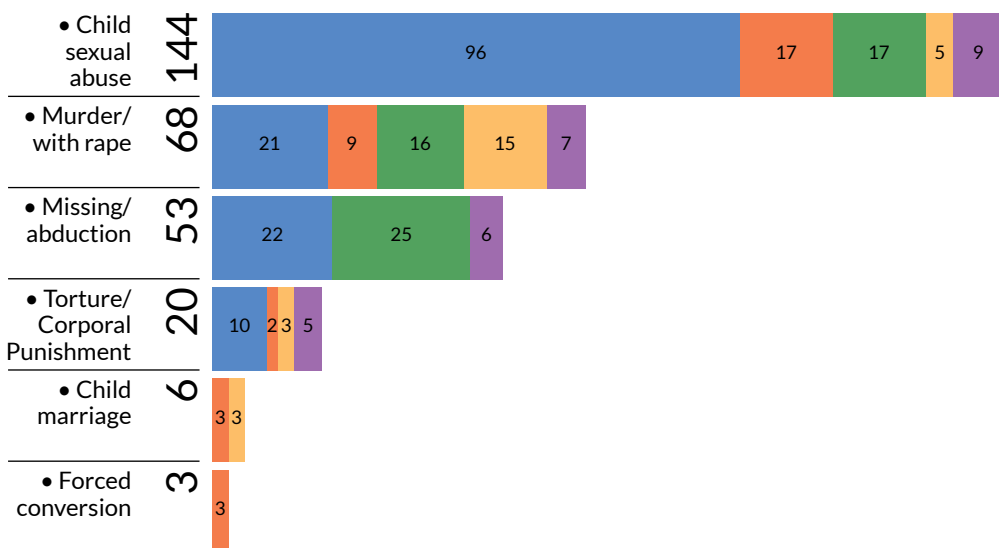
Complaints handled by NCRC in Mar 2020 – Feb 2023

■ Punjab 
 ■ Sindh 
 ■ Balochistan 
 ■ Khyber Pakhtunkhwa 
 ■ Islamabad

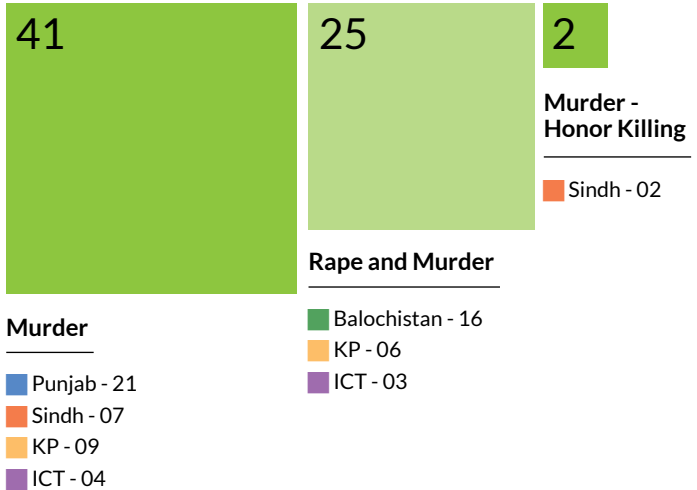
## Province-wise complaints



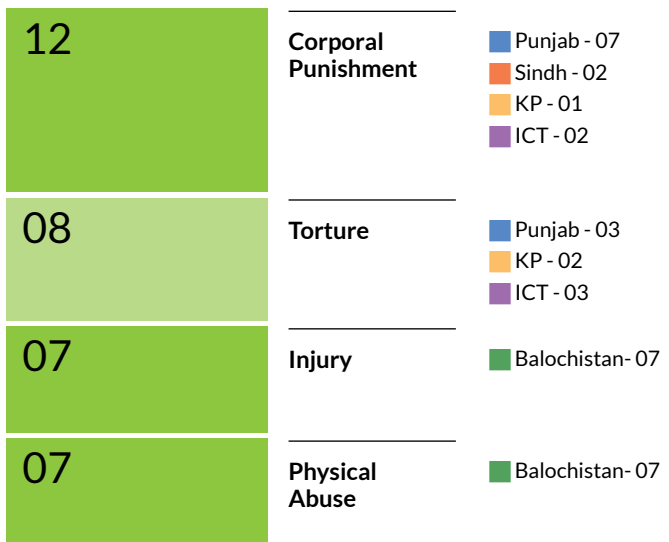
## Top 6 categories of complaints



## Child rape and murder complaints

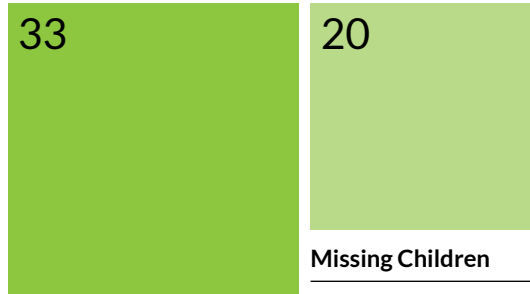


## Physical abuse complaints



# Complaints Data

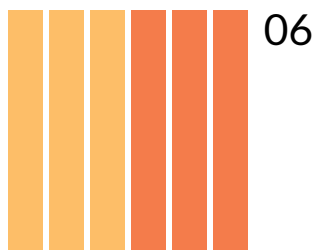
## Kidnapping complaints



- Abducting /Kidnapping**
- Punjab - 22
  - Balochistan - 07
  - ICT - 04
- Missing Children**
- Balochistan - 18
  - ICT - 02



## Child marriage complaints



- Child Marriage**
- Sindh - 03
  - KP - 03



- Forced Conversion**
- Sindh - 03



# Complaints handled by NCRC in Mar 2020 – Feb 2023

■ Punjab 
 ■ Sindh 
 ■ Balochistan 
 ■ Khyber Pakhtunkhwa 
 ■ Islamabad

## Child sexual abuse complaints

80      59      02      02      01

### Child Sexual Abuse

■ Punjab - 59  
■ Balochistan - 15  
■ ICT - 06

### Rape

■ Punjab - 36  
■ Sindh - 15  
■ KP - 05  
■ ICT - 03

### Sexual Harassment

■ Balochistan - 02

### Sodomy

■ Sindh - 02

### Pornography

■ Punjab - 01



## Cases on child labour and beggary

01

### Child Labour

■ Sindh - 01

01

### Beggary

■ KP - 01

28

### Others

■ Punjab - 17  
■ Balochistan - 06  
■ Sindh - 01  
■ KP - 01  
■ ICT - 03



## NCRC Complaints Database Mar 2020 – Feb 2023

S#	Category	Punjab	Sindh	Balochistan	KP	ICT	Total (Cat. Wise)
1.	Child Sexual Abuse (CSA)	59		15		06	80
1.1.	CSA-Pornography	01					01
1.2.	CSA- Sexual Harassment			02			02
1.3.	CSA-Rape	36	15		05	03	59
1.4.	CSA-Sodomy		02				02
2.	Murder	21	07		09	04	41
2.1.	Rape and Murder			16	06	03	25
2.2.	Murder-Honour Killing		02				02
3.	Abduction/Kidnapping	22		07		04	33
4.	Missing			18		02	20
5.	Torture	03			02	03	08
6.	Corporal Punishment	07	02		01	02	12
7.	Child Marriage		03		03		06
8.	Forced Conversion		03				03
9.	Physical Abuse			07			07
10.	Child Labour		01				01
11.	Beggary				01		01
12.	Injury			07			07
13.	Others	17	01	06	01	03	28
Total (Province Wise)		166	36	78	28	30	338 (G.Total)



## Case Study 1



### Attock Minority Case – THE COMPLAINT

#### Expulsion of Students based on Religious Discrimination

- A leading private school expelled 5 children based on their religion in Attock.
- The complainant alleged that the school administration had violated Article 25 (2) of the Constitution, by withdrawing the admissions of the students based on religion.

### NCRC's Intervention

- NCRC summoned Deputy Commission Attock, School Education Department Punjab, complainants, representatives of children, Principal and administration of the school.
- NCRC conducted two hearings and inquired the matter in detail.

### Relief Provided by NCRC

- School administration restored the admission of the students along with a three-month exemption in their fee.
- The school administration tendered written apology which was accepted by the parties.
- NCRC requested MoHR to ask the Govt. of Punjab to adjust policy of faith declaration for metric examination considering concerns of Minorities.
- NCRC directed School Education Department to strengthen complaint handling mechanism for protection of children at school levels.

## Case Study 2



### **Custodial Torture Case, G-9 Police Station, Isbd**

#### **— THE COMPLAINT**

- Alleged custodial torture inflicted upon two minor boys by Station House Officer, G-9 Police Station.
- Complainant alleged that SHO had violated the provisions of Pakistan's Constitution, Juvenile Justice System Act 2018 by inflicting custodial torture and illegal detention of minors.

### **Recommendation**

- NCRC highlighted that Police Order 2002 has not been judgments of Hon. Supreme Court and Islamabad High Court. NCRC recommended that The Police Order 2002 along with institutional mechanism for accountability of Police should be extended to ICT with immediate effect.
- NCRC further questioned the role of Magistrates in this complaint and recommended that executives should be separated from judiciary and the Code of Criminal Procedure Ordinance 2001 shall be extended to Islamabad through a formal notification in order to strengthen criminal justice system in Islamabad.
- Extensive trainings shall be conducted to build the capacity of police officers for juvenile justice system.
- Also a dedicated police officer may be designated in all ICT police stations to deal with juvenile justice cases and should be connected Juvenile Justice System committees and NCRC.

### **NCRC's Intervention**

- NCRC summoned complainants, ICT Police along with SHO (G-9), District Public Prosecutor and Juvenile Justice Committees and parents of victims.
- NCRC conducted two in-person hearings to inquire the matter.

### **Relief Provided**

- NCRC concluded that provisions of Juvenile Justice System Act 2018 were violated regarding age determination, arrest and detention.
- The alleged SHO (G-9) was demoted and department disciplinary action was initiated.



## DAWN

TODAY'S PAPER | JANUARY 24, 2023

### NCRC seeks report on schoolgirl's torture

**ISLAMABAD:** While the National Commission on Rights of the Child (NCRC) received 49 per cent of complaints from Punjab in the last three years, it has taken notice of the torture on a schoolgirl in Lahore.

The commission has condemned the incident and said it was violative of the United Nations Convention on the Rights of the Child, the Constitution of Pakistan, Pakistan Penal Code and provincial laws and policies of Punjab.

According to a statement issued by NCRC, the Punjab School Education Department (SED) has the responsibility to regulate and monitor private education in the province. The department constituted a committee to examine matters related to private educational institutions, including legal framework, costs, teachers, issues, fees, child-security and safety. Therefore, NCRC has directed the secretary to School Education Department to submit

<https://www.dawn.com/news/1733266>

## DAWN

TODAY'S PAPER | FEBRUARY 16, 2023

HOME LATEST PSL 2023 PAKISTAN OPINION BUSINESS WORLD CULTURE PRISM SPORT MAGAZINES TECH VIDEOS POPULAR ARCHIVE FLOOD DONATIONS

### CRC calls for strategy to curb child marriages

Newspaper's Staff Reporter | Published June 5, 2022



**KARACHI:** Being deeply concerned over the purported marriage of 14-year-old Dua Zehra, the National Commission on the Rights of Child (NCRC) has called upon the federal and provincial governments, parliamentarians, law enforcement agencies, civil society and concerned stakeholders to devise a strategy by reviewing all the child marriage-related laws prevalent in Pakistan.

In Dua Zehra case, it later transpired that she had allegedly contracted marriage of her own free will with a boy, Zaheer Ahmed, of Lahore despite the fact that she was an underage person according to the respective child marriages prohibition laws both in Punjab and Sindh.

Amid growing child marriages, the NCRC called upon the authorities to investigate the occurrences of such incidents in an impartial manner, and to

<https://www.dawn.com/news/1693115>



## NCRC takes notice of students' expulsion from school on basis of religion

Ikram Junaidi | Published November 1, 2022



LISTEN TO ARTICLE ▶ 0:00 / 3:09 — 🔊 1x 1.2x 1.5x

**ISLAMABAD:** The National Commission on the Rights of the Child (NCRC) on Monday summoned the Attock deputy commissioner and principal of a leading private school over the issue of expelling children from the institution on the basis of their religion and got assurance that all students would be reinstated and given a relief in fees for three months.

<https://www.dawn.com/news/1718055>



## NCRC summons police, ministry officials over alleged custodial torture of two boys

The Newspaper's Staff Reporter | Published November 20, 2022



LISTEN TO ARTICLE ▶ 0:00 / 5:07 — 🔊 1x 1.2x 1.5x

**ISLAMABAD:** The National Commission on the Rights of Child (NCRC) has taken notice of the alleged custodial torture on two minor boys at the hands of the station house officer (SHO) of G-9 police station.

A complaint in this regard was filed by former Senator Farhatullah Babar and Advocate Imaan Hazir Mazari, a human rights activist, with the Senate

<https://www.dawn.com/news/1722014>



## NCRC may get policy seeking declaration of students' faith reversed

Ikram Junaidi | Published November 22, 2022



LISTEN TO ARTICLE ▶ 0:00 / 2:41 — 🔊 1x 1.2x 1.5x

**ISLAMABAD:** The National Commission on the Rights of Child (NCRC) has decided to take up a recently enacted policy with the Punjab government, binding students to declare their faith for registration to sit in the matriculation examinations.

The decision was made on Monday when the NCRC, in exercise of its quasi-judicial powers under the NCRC Act, was hearing a case regarding the expulsion of minority students by a renowned private school in Attock on the basis of their religion.

<https://www.dawn.com/news/1722402>

**Standard  
Operating  
Procedures  
(SoPs) for  
Complaint  
Handling**

## 1. Introduction

- i The National Commission on Rights of the Child (NCRC) is a specialized independent national child rights institution of Pakistan. The Government of Pakistan has promulgated 'National Commission on the Rights of Child Act 2017 (NCRC Act, 2017)' which led to creation of NCRC. Since Feb 2020, the NCRC is striving for promotion and protection of child rights as enshrined in the Constitution of Islamic Republic of Pakistan 1973, national or provincial laws and the United Nations Convention on the Rights of the Child.

## 2. Legal Mandate

- i. The NCRC has legal mandate to inquire into '**violation**' of child rights under section 15(e) and 15(k) of the NCRC Act 2017. These provisions empower NCRC to exercise *quasi*-judicial powers to call for information or report from federal and provincial governments, civil society organizations and autonomous and concerned bodies on alleged violation of child rights. The NCRC may enforce attendance of any person and summon any record or document in this regard.
- ii. The term 'child rights' has been defined in section 2(c) of the NCRC Act 2017 which is relevant to admissibility of complaints at NCRC and should be read in conjunction with section 15(e) and 15(k) of the NCRC Act, 2017. According to the section 2(c), 'child rights' means and include, but not limited to, rights of the child in the United Nations' Convention on Rights of the Child and in any other domestic law.
- iii. The complaint handling mechanisms of NHRIs are seen to be complementary to processes for the protection of human rights offered by judicial institutions. NHRIs are described as providing an alternative means for dealing with human rights disputes that is accessible, quick and inexpensive. A range of ADR terms, for example 'conciliation', 'mediation' and 'negotiation' are included in the principle or subordinate legislation of many NHRIs like NCHR's Complaint Rules 2015.

### **3. Strategic Plan 2022-2024**

- i. The Strategic Plan 2022-2024 of NCRC has recognized complaint handling function as one of the priority areas of intervention. It has recommended following action points under monitoring of violation of child rights to strengthen complaint handling;
  - a. Establish collaboration with development sector and Civil Society Organizations for monitoring violation of children's rights effectively
  - b. Establishment of complaint section and database
  - c. Development of Complaint Handling and Referral Mechanism
  - d. Notification of Complaint Rules
  - e. Development of manual on monitoring child rights
- ii. Through these SoPs, we have started taking measures to fulfill statutory obligations of NCRC regarding complaint handling, relevant priority area and associated action points mentioned the strategic plan of NCRC.

### **4. Establishment of Legal and Complaint Section**

- i. In order to fulfill above-mentioned legal obligations and implement strategic priority of NCRC, a separate legal and complaint section/cell/wing is established for receiving, registering, examination, referral and inquiry into complaints of alleged violation of child rights.
- ii. Additionally, the legal and complaint section will provide highly technical advice and opinions on legal matters referred time to time. It may represent NCRC before any court of law if appropriate or provide in-house services in support to legal practitioners/advocates/law firms on panel.

### **5. Objectives of Legal and Complaint Section**

- i. To facilitate the process of receiving and handling of complaints.
- ii. To negotiate or conciliate complaints of alleged child rights violations in accordance with law
- iii. To generate statistical reports on redressal of complaints at regular intervals for analysis and necessary action/policy intervention.
- iv. To provide technical opinions on legal matters related to child rights.

- v. To represent NCRC in court proceedings if appropriate or provide in-house support to advocates/law firms on panel.

## 6. Organogram of Legal and Complaint Section

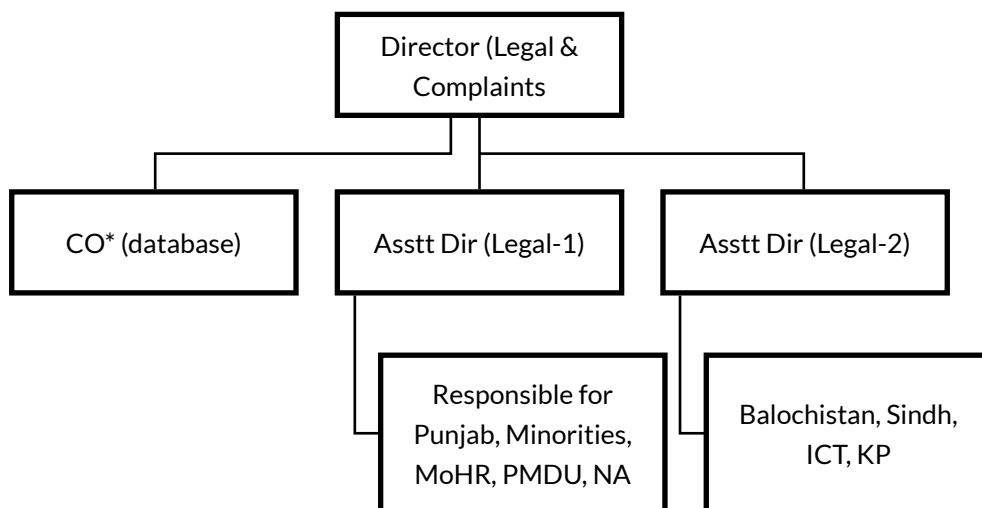


Figure 1: Legal and Compliant Section of NCRC

\* Complaint Officer (database)

**Note:** The Chairperson NCRC may assign tasks of above-mentioned staff to consultants until their recruitment as a stop-gap arrangement.

## 7. Complaint Handling Mechanism

- i. Registration and Initial Assessment - Stage 1
- ii. Seek information or Report - Stage 2
- iii. In person hearing and conclusion - Stage 3

(Please refer to page 7 for details)



## 8. Complaint Handling Mechanism: Explanatory Note

- i. All complaints will be dealt by the Legal and Complaint Section of NCRC. The Legal and Complaint Section will be responsible for complaint handling from initiation till its disposal within stipulated time.
  - ii. The purpose of complaint handling is **to seek amicable settlement** through negotiation or conciliation within the limits prescribed by the law or issue recommendation to the concerned institution if amicable settlement is not successful for consideration and compliance after hearing all relevant parties.
- i. **Registration and Initial Assessment:**
- i. ***All complaints received by the Members or at NCRC secretariat will be referred to Chairperson NCRC.*** The Chairperson NCRC will mark these complaints to Director (legal & complaint) or relevant Assistant Dir (Legal & Compliant) or Complaint Officer (database) in case when Dir (legal & complaints) is not available.
  - ii. The Assistant Director (legal & complaints) will determine the maintainability/admissibility of complaints along with brief narration of facts and propose measures for NCRC to address the complaint on annexed template of note portion in accordance with the law under these SoPs.
  - iii. The Complaint Officer (database) will register the complaint in the database/excel sheet with necessary details, allocate a unique tracing ID number, subject/category of complaint along with date and year of complaint.
  - iv. On the initial assessment of Assistant Dir, the Director (legal and complaints) will either dispose off the complaint due to non-admissibility or proceed to the next stage.
  - v. In case of disposal of complaints due to non-admissibility, the Director (legal and complaint) will seek approval from the Chairperson for closure and may refer this complaint to the most suitable institution who has mandate with intimation to the complainant or victim. The same complaint may be closed in the database with explanatory note.
  - vi. The above-mentioned actions will be completed within **06 days** after receipt of complaints at NCRC.

## ii. Seek information or report:

- i. In case the complaint is admissible, the Assistant Director will seek information or report from relevant institutions with the approval of the Dir (Legal & Complaints).
- ii. The Assistant Dir may issue reminders to the relevant institutions after every 10 days for compliance.
- iii. In case of satisfactory reports or resolution, the Dir (Legal & Complaints) will dispose off complaint on the recommendation of the Assistant Director and with the approval of the Chairperson. The same may be closed in the data base with explanatory note and the complainant may be informed.
- iv. The above-mentioned actions will be completed within 40 days after receipt of complaints at NCRC.

## iii. In-Person Hearing & Disposal:

- i. In case of non-compliance or unsatisfactory reports or unlawful settlement, the Assistant Dir or Dir (Legal & Complaints) will summon record or enforce attendance of any person under section 15(k) of NCRC Act 2017 before the Commission for in-person hearing.
- ii. The Commission will conduct in-person hearing.
- iii. The relevant Assistant Director will act as a case officer, present case briefing during in-person hearing, record attendance, take notes and process the case, pleadings, draft findings or recommendations of NCRC etc.
- iv. After hearing all relevant stakeholders and in case where amicable settlement through negotiation or conciliation has not reached successfully, the Commission may issue its detailed findings and recommendation and refer the matter along with its finding to relevant institution or department.
- v. The detailed finding and recommendation will be signed by all Members who have conducted in-person hearing.
- vi. The copy of the signed finding and recommendation will be sent to the concerned department or institution for compliance and same may be provided to all relevant stakeholders.
- vii. The above-mentioned actions will be completed within **44 days**.

**iv. Timeline:**

- i. All complaints will be resolved in 90 days.

**v. Integration:**

- i. Complaint Cell, MoHR
- ii. NCHR, NCSW, NCRM
- iii. 1099
- iv. ZAARA, ICT-CPI, KP-CPWC, Punjab-CPB, Sindh-CPA, Balochistan-CPWC, Federal and Provincial Ombus Offices
- v. PMDU
- vi. Sahil
- vii. Dedicated phone, email, website portal, address of NCRC for complaints etc.

**vi. Others:**

- i. The Chairperson may relax or amend provisions of these SOPs to enhance efficiency or deal with urgency of matter.
- ii. The Chairperson may assign above-mentioned tasks to any member or person or consultant or advisor in NCRC in case of non-availability of permanent or contract employees.
- iii. If the Assistant Dir. is on leave, the Dir or other Asist Dir will look after relevant complaints as assigned. Similarly, if Dir (Legal and Complaint) is on leave or unavailable, respective Assistant Dir will look after relevant complaints.
- iv. The Staff of the complaint section will report as per above mentioned organogram directly to the Chairperson NCRC.
- v. In case of difference of opinion on any matter regarding complaint handling, the decision of Chairperson NCRC will be considered as final.

## **9. Mode of Complaint Receiving**

- i. A child victim or his/her parents or legal heirs or registered institution or NGO or any person who has been authorised may send application/ complaint personally, by post or email to the NCRC Office as below:

## **The National Commission on the Rights of the Child,**

5th Floor, Evacuee Trust Complex, Near Marriott Hotel, Sector F-5, Islamabad

Tel: \_\_\_\_\_, Fax: \_\_\_\_\_,

Email: [complaint@ncrc.gov.pk](mailto:complaint@ncrc.gov.pk)

Web: [www.ncrc.gov.pk](http://www.ncrc.gov.pk)

- ii. Complainant may also approach other than written form by telephone at assigned phone number and get registered his/her complaint. The complaints in any other form will be entertained after receiving of the complaints in hard-copy along with valid CNIC, proper address etc.
- iii. The cases may also be obtained from media monitoring i.e. newspapers/ electronic & social media.
- iv. A complaint may be made to the Commission as soon as possible but preferably within ***three months*** from the date the cause of action arose.

## **10. Prioritization of Complaints**

- i. Complaints referred from Hon'ble Courts, Parliament, PMDU, MoHR and complaints related to alleged crimes of heinous nature will be accorded top priority.

## **11. Admissibility of Complaints**

- i. The complaint under these SoPs shall states briefly the facts relating to:
  - (a) violation of child rights or abetment thereof; or
  - (b) negligence by a public servant in the prevention or response of such violation.
- ii. The complaint shall fulfill requirements under Rules 2, 9 and 12 of these SoPs along with all enabling provisions of the NCRC Act, 2017.

## 12. Dismissal of Complaint

- i. The Commission may dismiss a complaint or other communication if it ;
  - (a) is illegible;
  - (b) is vague, anonymous or pseudonymous;
  - (c) has allegations that do not make out any specific violation of child rights or negligence by a public servant in the prevention of such violation;
  - (d) relates to a matter which is **sub-judice** before a court or tribunal;
  - (e) pertains to a matter outside the purview of the Commission on any other grounds.

## 13. Powers Relating to Inquiry

- i. For purposes of inquiry, into any matter which is the subject of a complaint, the Commission shall have the powers vested in a Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters namely: -
  - (a) summoning and enforcing the attendance of any person and examining him/her on oath;
  - (b) discovering and production of any document;
  - (c) receiving evidence on affidavits;
  - (d) requisitioning any record or copy thereof from any authority or office;  
and
  - (e) issuing commissions for the examination of witnesses or documents.
- ii. The Commission may publish public notices in the newspapers of wide circulation, besides sending notices at the known addresses of the parties.
- iii. The Commission may appoint inquiry commissions or committees for in-person hearing, examination of witnesses, documents and any other public record or for seeking information and pay any fee or charges for that purpose.

## **14. Roles and Responsibilities**

### **Director (Legal & Complaints)**

- i. Responsible for overall operations of the complaint section.
- ii. Hold weekly and monthly meetings regularly.
- iii. Perform functions as per SoPs.
- iv. Sign all correspondence, pleadings etc.
- v. Assist in court proceedings along with relevant Assistant Dir.
- vi. Assist in formation and notification of complaint rules
- vii. Responsible for permanent setup of complaint section
- viii. Assist in establishment of CMIS
- ix. Assist in finalizing Inter-agency protocol/understanding

### **Assistant Dir (Legal & Complaints)**

- i. Handle complaints and perform functions as mentioned in SoPs.
- ii. Responsible for complaint handling from assigned provinces from registration till disposal.
- iii. Act as a case officer and responsible to maintain complaint files.
- iv. Responsible to prepare case summary, record attendance, issue letters, summons and other pleadings etc.
- v. Responsible to dispose of the case as quickly as possible but not later than the prescribe deadline.
- vi. Responsible to update relevant complaints on PMDU and other applications.
- vii. Provide legal assistance and supervise each case to take it to a logical conclusion.
- viii. Assist in court matters in relevant complaints.

### **Complaint Officer (Database)**

- i. Responsible for registration, timely entry of complaints to database, prepare electronically acknowledgments, maintain status of each complaint and other IT support, allocate unique case number with year, maintain updated database etc.

- ii. Generate reports on regular basis considering gender segregation, age, territory, nature of violation, date and year etc as required and highlight delayed complaints.
- iii. Coordinate with PMDU, 1099, Compliant Cell MoHR, Sahil and integrate complaint handling with other institutions including KP-CPWC, Punjab-CPB, ICT-CPI, Sindh-CPA, Balochistan-CPWC.
- iv. Responsible for overall operations of IT based applications for complaint handling and CMIS
- v. Custodian of record of complaint section.
- vi. To monitor
- vii. Other duties as assigned by the seniors.

F.No. 1-\_/COMP\_/2022/NCRC  
GOVERNMENT OF PAKISTAN  
**NATIONAL COMMISSION ON RIGHTS OF THE CHILD**  
(5th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad)  
\*\*\*\*

Subject: **COMPLAINT AGAINST ----- REGARDING-----**

1. The subject complaint was received on dated ----- through Chairperson NCRC for initial assessment and necessary action.
2. Please produce para-wise facts in chronological order/ step by step.
3. Please determine admissibility of complaint in accordance with section 15 of NCRC Act 2017 and prescribed SoPs.
4. Please provide your opinion based upon analysis and admissibility and recommend measures for NCRC in this regard.
5. Please conclude your analysis with precise recommendation whether NCRC should proceed in this complaint or close it.
6. Paras----- submitted for approval please.

Name,  
Designation,  
Date.

Dir (Legal & Complaints)

Chairperson NCRC

Member ( ) NCRC



F.No. 1-\_/COMP./2022/NCRC  
GOVERNMENT OF PAKISTAN  
**NATIONAL COMMISSION ON RIGHTS OF THE CHILD**  
(5th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad)  
\*\*\*\*

The \_\_\_\_\_,  
Government of \_\_\_\_\_,  
\_\_\_\_\_ Department,  
\_\_\_\_\_

Islamabad, day-month-year

Subject: **COMPLAINT AGAINST ----- REGARDING-----**  
\_\_\_\_\_

Reference to the subject cited above, please find enclosed herewith a copy of complaint dated \_\_\_\_\_ lodged by Mr/Ms \_\_\_\_\_ son/daughter of \_\_\_\_\_ NIC(if available)\_\_\_\_\_ Address (if available)\_\_\_\_\_. This complaint is related to \_\_\_\_\_ which constitutes violation of child rights.

2. The Commission requests you to kindly furnish a copy of report along with action taken in above-mentioned complaint **within 07 working days positively** under section 15(e) and 15(k) of NCRC Act 2017.

Afshan Tehseen,  
(Chairperson)

Copy for information to:-

1. Hon. Member (\_\_\_\_), NCRC
2. Data Officer (complaint) NCRC for record.

Template for Reminder

Reminder  
Immediate

F.No. 1-\_/COMP./2022/NCRC  
GOVERNMENT OF PAKISTAN

**NATIONAL COMMISSION ON RIGHTS OF THE CHILD**

(5th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad)

\*\*\*\*

The \_\_\_\_\_ ,  
Government of \_\_\_\_\_,  
\_\_\_\_\_ Department,  
\_\_\_\_\_

Islamabad, day-month-year

Subject: COMPLAINT AGAINST ----- REGARDING-----

Reference to the letter No. \_\_\_\_\_ dated \_\_\_\_\_ on the subject cited above.

2. The Commission requests once again to kindly furnish a copy of report along with action taken in above-mentioned complaint **within 07 working days positively** failing which the Commission will summon record and enforce attendance of relevant persons under section 15(e) and 15(k) of NCRC Act 2017.
3. This complaint may be accorded top priority.

Afshan Tehseen,  
(Chairperson)

Copy for information to:-

1. Hon. Member (\_\_\_\_), NCRC
2. Data Officer (complaint) NCRC for record.

Top Priority  
Most Immediate

F.No. 1-\_/COMP./2022/NCRC  
GOVERNMENT OF PAKISTAN  
**NATIONAL COMMISSION ON RIGHTS OF THE CHILD**  
(5th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad)

\*\*\*\*

The \_\_\_\_\_,  
Government of \_\_\_\_\_,  
\_\_\_\_\_ Department,  
\_\_\_\_\_

Islamabad, day-month-year

Subject: NOTICE FOR PRODUCTION OF RECORD AND IN PERSON  
ATTENDANCE IN COMPLAINT ----- REGARDING-----

Reference to the letter No. \_\_\_\_\_ dated \_\_\_\_\_ on the subject cited above.

2. Under section 15(e) and 15(k) of NCRC Act 2017, the Commission requests you to nominate a person well conversant with the complaint to appear in-person and produce relevant record including \_\_\_\_\_ on dated \_\_\_\_\_ at (time) \_\_\_\_\_ before the Commission for inquiry failing which the Commission will proceed ex-parte in the subject cited complaint and will issue its findings/recommendations to the department concerned for necessary action.
3. This complaint may be accorded top priority.

Afshan Tehseen,  
(Chairperson)

Copy for information to:-

1. Hon. Member (\_\_\_\_), NCRC
2. Data Officer (complaint) NCRC for record.

No. ----/2022/NCRC

**ORDER SHEET**

BEFORE NATIONAL COMMISSION ON RIGHTS OF THE CHILD

\_\_\_\_\_ Vs. \_\_\_\_\_

S. No. of Order/ Proceedings	Date of order/ Proceedings	Order with signature of the Chairperson or Members and that of parties or counsel where necessary.
---------------------------------	-------------------------------	--

\_\_\_/\_\_\_/2022 Present: Mr..... (complainant)  
Ms..... (respondent)  
Advocate..... (on behalf of Respondent No..)

- 1) Brief Facts of the case.....
- 2) Kindly state views of all parties.....
- 3) Kindly state NCRC's analysis and recommendations to the concerned  
department.....

**Signed by:**

**Chairperson**

**Member**

**Member**

**Member**

**Member**

**Complainant (if necessary)**

**Respondent (if necessary)**

F.No. 7-1/COMP.01/2022/NCRC  
GOVERNMENT OF PAKISTAN  
**NATIONAL COMMISSION ON RIGHTS OF THE CHILD**  
(5th Floor, Evacuee Trust Complex, Agha Khan Road, F-5/1, Islamabad)

\*\*\*\*

**Subject: SoPs for Complaint Handling**

1. The NCRC has a mandate to inquire into violation of child rights under section 15(e) and section 15(k) of NCRC 2017.
2. Currently, NCRC is handling more than 250 complaints since Feb. 2020. Complaint handling is managed by respective Members on practices evolved over the time. Ideally, separate rules for complaint handling should be developed and notified in official gazette which may take some time.
3. Therefore, attached SoPs are drafted through a consultative process involving Members and staff of NCRC, considering strategic priorities of NCRC and best practices available in international and national jurisdictions.
4. The purpose of this exercise is to streamline complaint handling functions of NCRC to make it more child friendly, effective and efficient.
5. DFAs along with SoPs are attached herewith for circulation internally and externally. It is suggested that a consultation may be held with external stakeholders on these SoPs if needed. These SoPs may be placed before the Commission in next statutory meeting for approval. Meanwhile, tasks may be assigned to consultants to handle complaints and database etc under these SoPs who may take over complaint records from respective Members of NCRC at appropriate time.
6. Para # 5 is submitted for approval please.

Atta Ul Mustafa,  
Legal Advisor,  
28.10.2022

**Chairperson NCRC**

**Secretary NCRC**

## Assigned File Numbers for Complaints

Punjab	1-1/2022/NCRC
Sindh	5-1/2022/NCRC
Balochistan	4-1/2022/NCRC
KP	3-1/2022/NCRC
ICT	6-1/2022/NCRC
Minorities	2-1/2022/NCRC
Others	7-1/2022/NCRC



The Commission envisions an enabling, responsive  
and productive society for children to enjoy their  
rights with dignity.

**NATIONAL COMMISSION ON THE RIGHTS OF CHILD (NCRC)**

5th Floor, Evacuee Trust Complex, Aga Khan Road, F-5/1, Islamabad

Tel: +92-51-920-3236 | Email: [info@ncrc.gov.pk](mailto:info@ncrc.gov.pk)

Website: [www.ncrc.gov.pk](http://www.ncrc.gov.pk)