

# **ANNUAL REPORT**

# **2008**



**OMBUDSMAN SINDH, PAKISTAN**

Presented to Honourable Governor Sindh

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

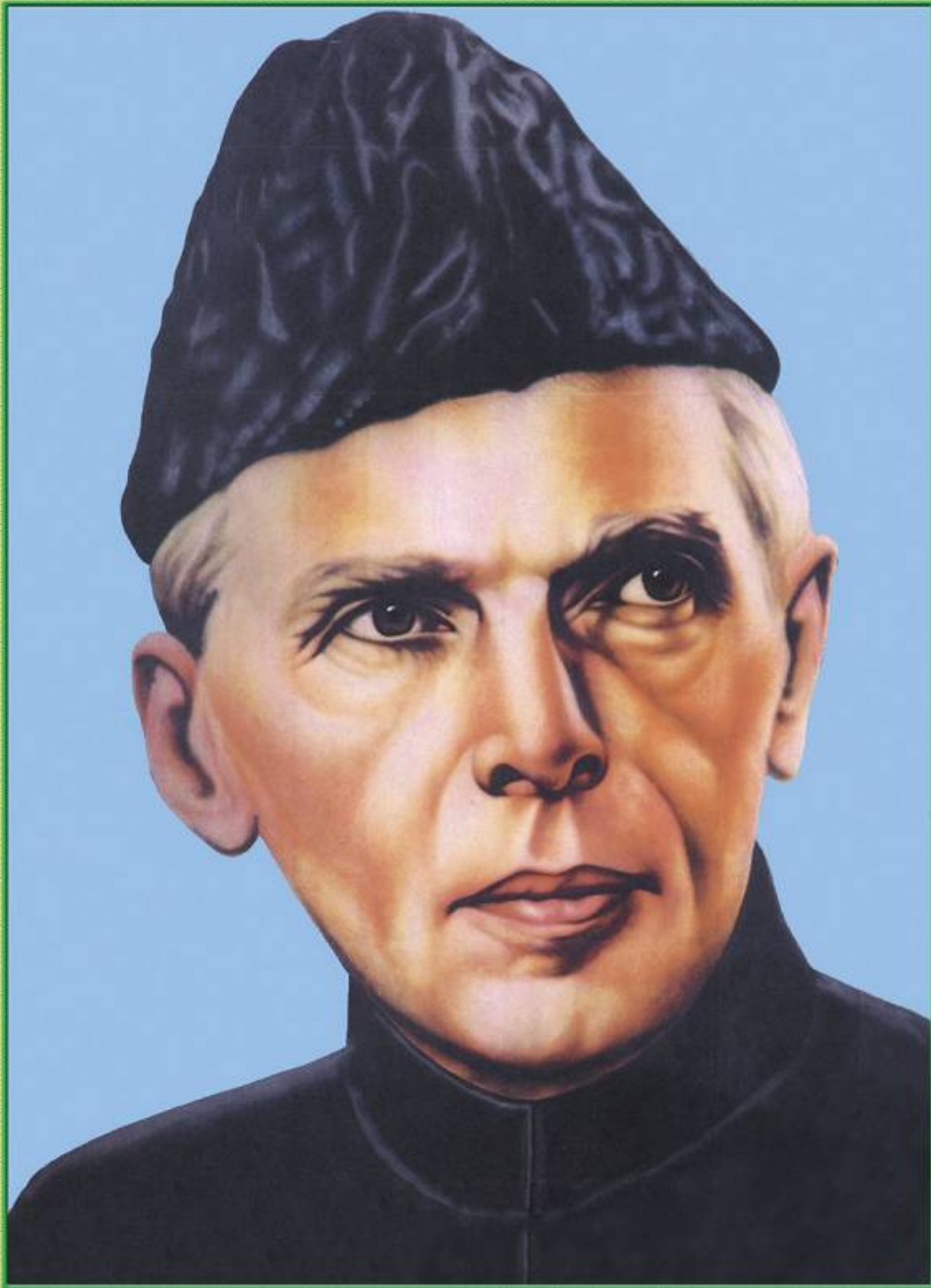
# إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

(النحل - ٩٠)

اللہ تم کو انصاف اور احسان کرنے  
کا حکم کرتا ہے

اللہ اوہان کی انصاف ۽ احسان کرنی  
جو حکم دیتی تو

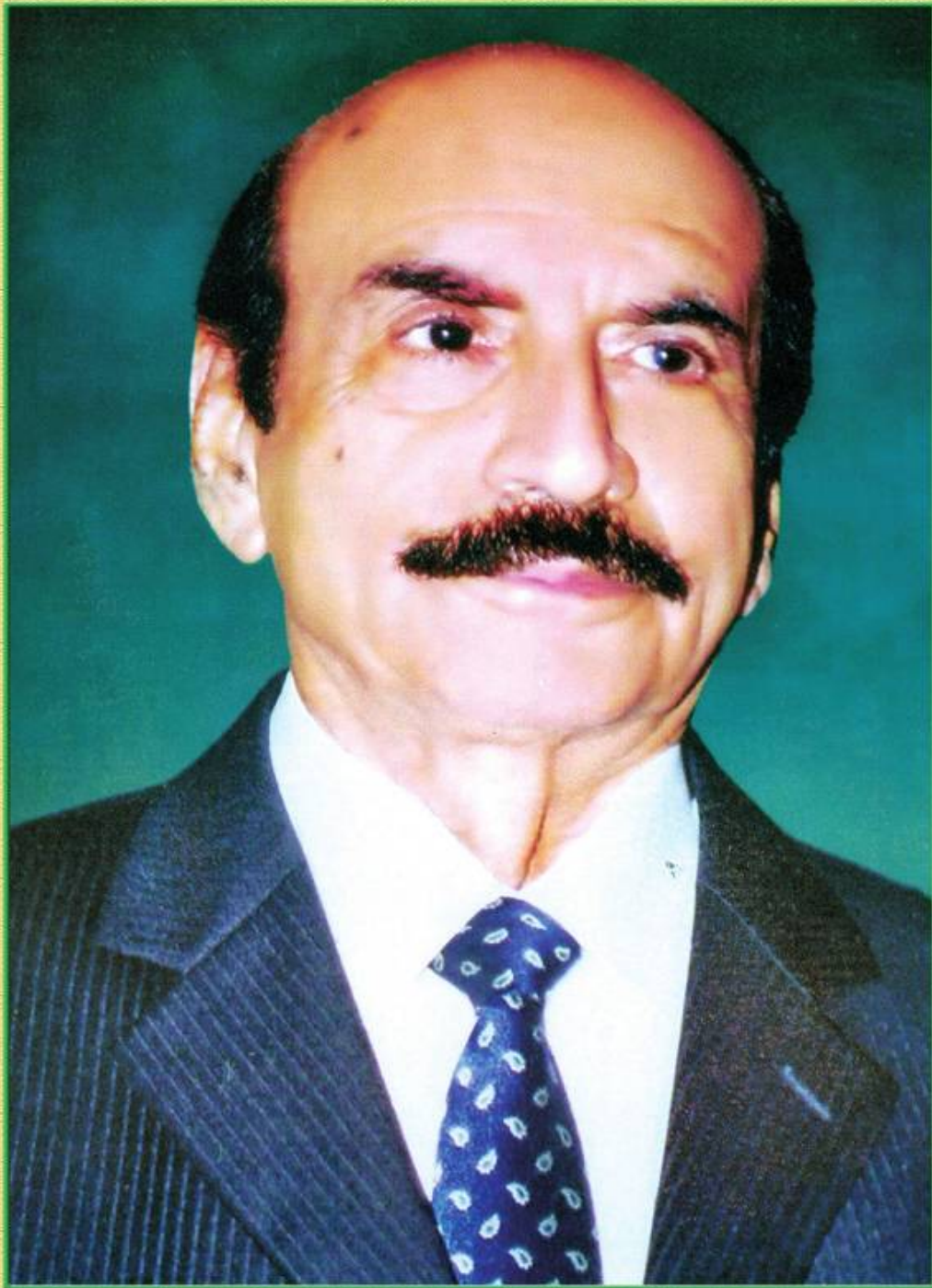
Allah Commands you for Justice and Kindness



**Quaid-e-Azam Muhammad Ali Jinnah**  
Founder of the Nation



**Dr. Ishrat Ul Ebad Khan**  
Honourable Governor, Sindh



**Syed Qaim Ali Shah**  
Honourable Chief Minister, Sindh



**Asad Ashraf Malik**  
Provincial Ombudsman, Sindh

# Acknowledgement

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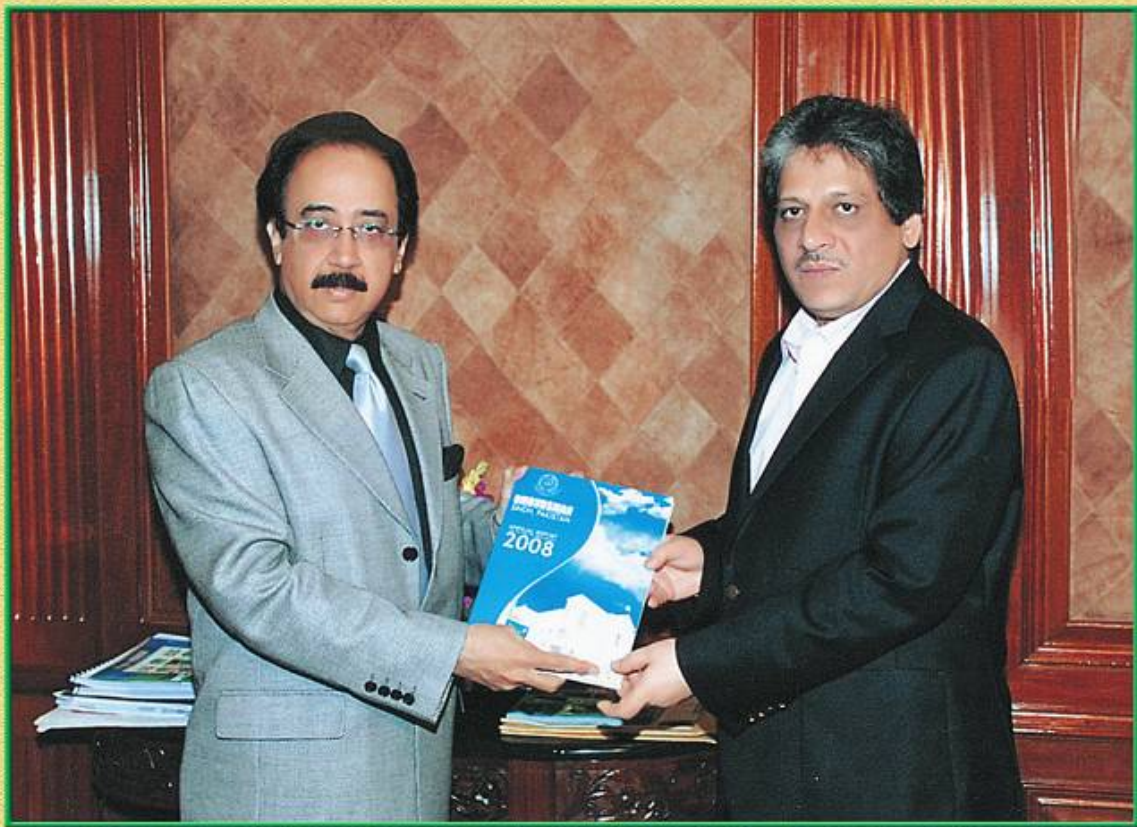
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Provincial Ombudsman Sindh, Mr. Asad Ashraf Malik presenting Annual Report 2008 to Honourable Governor Sindh Dr. Ishrat Ul Ebad Khan

786  
Asad Ashraf Malik

PPM; PSP

Provincial Ombudsman  
(Mohtasib-e-Aala)  
Sindh, Pakistan



Dear

Mr. Governor,

It is a matter of great pleasure for me to present to you Sir, the Annual Report of the Provincial Ombudsman Sindh for 2008, the 18th year of the Institution's existence and the first report of my tenure as Provincial Ombudsman Sindh. Although this report covers the activities of the previous year, it comes out in a special year (2009) in which the world is celebrating the second centennial of the establishment of the first modern Ombudsman in Sweden. Thus, we are one of the hundreds of Ombudsman Institutions celebrating a rich tradition this year.

2. Keeping with past practice, this annual report gives an overview of the performance and activities of this institution during 2008. While readers who wish to gain a summary view of our performance would like to go through the basic statistics presented in the pages which follow, I would like to go beyond the superficial and write about the approach that I was able to take with the assistance of my team to strengthen the status of the Sindh Ombudsman Institution. My vision for role of Ombudsman in the society lies in the concept that the job of the Ombudsman does not end with redressing the grievances of individual applicants, but more in removing the root causes, which are infact the mal-administration, from which these grievances arise.

3. Thus, soon after taking over my assignment as Ombudsman, I began to communicate a new but very important message to my team. The message was that they should start believing in supremacy of their role and begin to feel themselves powerful, because such belief can only be developed as an intrinsic factor and not on account of external props; strength or weakness is firstly and foremost a state of mind. I have been and continue to be, of the firm belief that until my team comprising the officers and staff of the Provincial Ombudsman Secretariat do not believe in the importance of the work that they are performing (and do not stop brooding about the pessimism that surrounds most categories of idealistic work or stop being depressed about negative perceptions regarding our limitations), they will not be able to break out of the outlook and frame of mind which has kept the contribution of Ombudsmen in a governance-deficit country like Pakistan rather restricted.

4. The Establishment of the Office of Ombudsman for the Province of Sindh Act 1991 has empowered the Ombudsman, to act in aid of the people under the authority of the Act which allows widespread powers including the following:

- summon and enforce attendance of any person (by enjoying civil court powers) and examine on oath, compel to produce documents, receive evidence on affidavits and issue commission for the examination of the witnesses.
- authorize to enter and search any premises and inspect any article, book of accounts or other documents.
- punish any person for its contempt having same powers, *mutatis mutandis* as that of honourable High Court.
- Award of costs and compensation and refund of amount.

5. These powers have been given in the Act to the Ombudsman to ameliorate the grievances of common citizens, yet in actual fact not many Ombudsmen in Pakistan have actually been able to exercise the powers available. While one can argue about the limited nature of the powers available, I am sure that most, if not all of my colleagues, and stakeholders would agree that not using whatever powers that we have is the result of a lack of belief in ourselves. From our daily experience not just as bureaucrats or professionals, but also as citizens, we know that most government agencies are guilty of mal-administration – and quite frequently too. Yet inspite of the many powers that the Ombudsmen in Pakistan have, there is room for improvement in legislation particularly to act against bureaucrats who have not implemented the decisions of the Ombudsman. Non implementation of decisions leaves the poor and aggrieved totally frustrated.

6. Therefore, I urge you Sir, to not only get the law amended to rename the Ombudsman's rulings as decisions rather than 'recommendations' but also give the Ombudsman the same powers as the "Competent Authority" for all public servants under the Removal from Service Ordinance. Naturally, the Governor shall remain the appellate forum in this case and civil servants so charged with major penalties will also have other legal remedies available to them.

7. I would also like to use the occasion to present to you some ideas on developing not only Ombudsman Institution in Sindh but also setting precedents for other Ombudsman institutions in the country. It is essential for providers of

administrative justice like ourselves to open our minds and think out of the box to develop new mechanisms for performing our duties.

8. I wish to make one fundamental proposal – and that is to make the Ombudsman institutions truly independent of executive as envisaged by the framers of the law who deliberately made such organizations theoretically separate from the executive and as in our case placed it under the Governors and not the politically elected set-up, so as to establish the independent character of the organization. As a clear indication of the independence that is part of every Ombudsman office, the Ombudsman cannot be removed from office other than on account of incapacitation or an activity that is considered morally or legally offensive and that too after a detailed judicial enquiry. Furthermore, so as to deter any compromise towards the powers that be, the Ombudsman cannot be granted an extension. Thus, it needs to be over-emphasized that every judicial or even quasi-judicial organization like ours has to be made independent of the government agencies against which it registers, and investigates and then passes orders in cases of mal-administration. This stipulation of the independent character of the Ombudsman is not new or unique to the Provincial Ombudsman Sindh. Indeed, such independence is one of the principal characteristics attributed to Ombudsmen offices anywhere and everywhere in the world.

9. Accordingly, while most officers and functionaries of the Provincial Ombudsman Secretariat are its own employees, there are some officers who are deputed by the Sindh Government. There are a number of contractual employees also. We would like all of our staff to be permanent employees of the Ombudsman Secretariat so that we do not have to seek permission of the Finance Department every time we need to increase the posts. In one case the approval of the Finance Department with regard to change of nomenclature is also pending at present.

10. The Finance Department is one of the agencies against which we entertain complaints, yet it is also an agency which we have to beg to get our essential bills like those of fuel and oil cleared. It is matter of record that the proposal of setting up new offices in interior of Sindh, kindly approved by your honour is hanging fire for two years in Finance Department without any progress. Essential vehicles for officers of Ombudsman Secretariat were also approved in ADP but

denied to us on various pretexts. I propose that the Finance Department should provide a one-line grant to the Provincial Ombudsman Secretariat because this mechanism has been adopted by numerous organizations all over the world, and in our country also, in the justice sector. We being a quasi-judicial authority must be strengthened in line with international best practice and should not be subservient to any department of the provincial government.

11. Similarly the discrepancy in the allowances of the officers/officials of the Provincial Ombudsman Sindh and those enjoyed by officers posted by the provincial government (in terms of utility allowance, house hiring, POL ceiling) is also a sticking point which creates a discrimination, ending which is one of the main reasons for establishing this institution.

12. Finally, allow me to thank yourself for the immense support that you have provided to the Sindh Ombudsman institution over the past many years, and most specially to me over the past year. I look forward to receiving even greater encouragement from you. For my part I assure you of delivering the utmost performance and never letting down the confidence imposed in my team and myself.

*With profound regards,*

Sincerely *Yours,*

  
(ASAD ASHRAF MALIK)

**Honourable Dr. Ishrat ul Ebad Khan,  
Governor of Sindh,  
Governor's House,  
Karachi.**

# Provincial Ombudsman Sindh Offices



- POS Head Office + Regional Offices Karachi (East and Central)
  - Existing Regional Offices
  - Proposed Regional Offices
- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Karachi Central</li> <li>• Karachi East</li> <li>• Hyderabad</li> <li>• Badin</li> <li>• Mirpurkhas</li> <li>• Dadu</li> <li>• Nawabshah</li> <li>• Sukkur</li> <li>• Larkana</li> <li>• Thatta</li> <li>• Naushahro Feroze</li> <li>• Jacobabad</li> <li>• Mithi</li> </ul> | <ul style="list-style-type: none"> <li>• Ghotki</li> <li>• Khairpur Mirs'</li> <li>• Tando Allahyar</li> <li>• Sanghar</li> <li>• Jamshoro</li> </ul> |
|---|---|

## Group Photograph Ombudsman Sindh Secretariat



### Left to right sitting

Mr. Nazir Ahmed Qidwai (R.D., Karachi Central), Mr. Mehmood Hassan (Director), Sayed Amir Ali Shah (Advisor/DG, A&C), Syed Abu Ahmad Akif (DG-II), Mr. Asad Ashraf Malik (Ombudsman, Sindh), Mr. Fasihuddin Khan (Additional Chief Secretary), Mr. Ali Nawaz Bohio (Advisor), Mr. Akram Saeed (Director), Syed Qamar Razi Naqvi (Consultant)

### Left to right standing

Mr. Masood Ishrat (Registrar), Mr. Mujahid Hussain Rajput (R.D., Sukkur)  
Mr. Manzoor Ali Awan (Consultant), Mr. Ghulam Rabbani Agro (Consultant at R.O., Hyd.)  
Mr. Muhammad Hashim Chandio (R.D., Dadu), Mr. Shakir Hussain Jafri (R.D., Mithi)  
Mr. Ghulam Hyder Memon (Consultant), Col.(R) Ghulam Mohiuddin (R.D., Karachi East)  
Mr. Gul Hassan Solangi (R.D., Jacobabad), Mr. Ahmed Jamal Aijazi (R.D., Hyd.)  
Mr. Shafique Ahmed Khan (R.D., Mirpurkhas), Mr. Barkat Ali Baloch (R.D., Badin)  
Mr. Ghulam Qasim Balouch (R.D., N.Feroze), Mr. Imdad Hussain Siddiqui (P.S. to Ombudsman)  
Mr. Ozair Ahmed Siddiqui (A.D., Admn)

# Aims, Objects and Scope of Ombudsman Institution

1. The constitution of Pakistan provides for economic, social and individual justice to the people of the country. These provisions require the State to ensure in expensive and expeditious dispensation of justice and to redress grievances of the people as efficiently and effectively as possible. In pursuance of this objective, in addition to the hierarchy of civil and criminal courts, the institutions of the Federal Ombudsman at the Federal level and the Provincial Ombudsman for the Province of Sindh have been established for correction of mis-feasance and mal-feasance in government offices on complaints of citizens.

2. The aims and objects of establishing the office of the Sindh Provincial Ombudsman (Mohtasib) have been clearly described in the establishment of the office of Ombudsman for the Province of Sindh act, 1991. The Provincial Ombudsman is supposed to DIAGNOSE, INVESTIGATE, REDRESS AND RECTIFY ANY INJUSTICE done to a person through MAL-ADMINISTRATION committed by a PROVINCIAL GOVERNMENT DEPARTMENT/AGENCY. These words are self-explanatory, and clearly indicate the operational scope of this Institution.

3. The word "Diagnose" used in the Act has a wide spectrum. It implies identification of causes of mal-administration and suggest their remedial measures. The areas where the malady is recurring, the process of "Diagnosis" will go deeper so as to strike at their very root and suggest such remedial measures which could help eradicate those ills. Similarly, other terms used are equally comprehensive in their scope.

4. It may be clearly understood that the primary objectives of this Institution is to introduce the system of accountability and to effectively take care of the complaints arising out of the mal-administration committed by the Provincial Government Departments and the Agencies working there-under.

5. The role of the Provincial Government with the passage of time has been considerably enlarged, for it is no longer confined to the collection of revenue and maintenance of law and order. The Government now is greatly involved in achieving a balanced economic growth, accelerated developmental activity and taking care of Social Sector. While working in such a wide spectrum, Government functionaries are likely to infringe upon the rights and liberties of individual citizens. The institution of Ombudsman is supposed to take care of this kind of problems and save the citizens from official high handedness.

6. With the advancement of civilization, the bureaucratic control has also become more complex and complicated. In due course of time the government machinery has become an "Octopus" which has encircled almost all facets of human activity. It is extensively involved in the provision of basic needs like; water supply, sanitation, electricity, housing, health, education, etc., around which life of a citizen revolves. Naturally, its inter-action with the citizens may give rise to occasions of mis-trust, inaction and injustice resulting into despare and frustration. For the redressal of all such administrative lapses and mal-administration arising out of the situation, the efficacy of the Institution of the Ombudsman is now being realized in the Country, like many other countries. The Ombudsman's Institution is, thus, emerging as an effective and result-oriented medium, which is expected to go a long way in bridging the gap of credibility between the government and the people.

7. For achievement of the purpose indicated above, the term "Mal-administration" has also been given a wide coverage and includes all those maladies of which a citizen can become victim at the hands of Official Agency, delay in the action being the most predominant.

8. Similarly, the definition of "Agency" applies to a department, Commission or office of the Provincial Government or statutory corporation or other institution established or controlled by the Provincial Government.

9. By the Grace of God, the Institution of "SINDH OMBUDSMAN" is looked with favour and appreciation by the people. Large number of letters of thanks and gratitude are received from those who get their grievances redressed expeditiously at no cost. To say the least a dent has been made in the present day crisis of credibility.

### **SPECIAL FEATURES OF THE INSTITUTION**

1. The speical features of the Institution of Ombudsman are characterized in its right MIX OF CONVENIENCE, SIMPLICITY AND QUICK REDRESSAL OF grievance with NO COST.

2. The growing indulgence of the Government Agencies in the affairs of the people, necessitated setting up of various special institutions like, Tribunals,

Boards Inspection Teams, Anti-Corruption Department, Screening Committees, etc. These institutions are no doubt useful but they have their limitations and restricted areas of operation. But the institution of Ombudsman has a wide ranging operational scope. The Ombudsman, while investigating into the acts of Omissions and Commissions of the bureaucracy directly affecting the interest of a citizen is not bound by any specific form and procedure, and is free to adopt such methods which are simple and informal, but leading to quick redressal of grievance.

3. Unlike other Forums, the Ombudsman can even take notice of any hardship caused or likely to cause to the people because of observance of certain rules, regulations or procedures, and he can make recommendations for removing the obstructional or oppressive aspect of those provision.

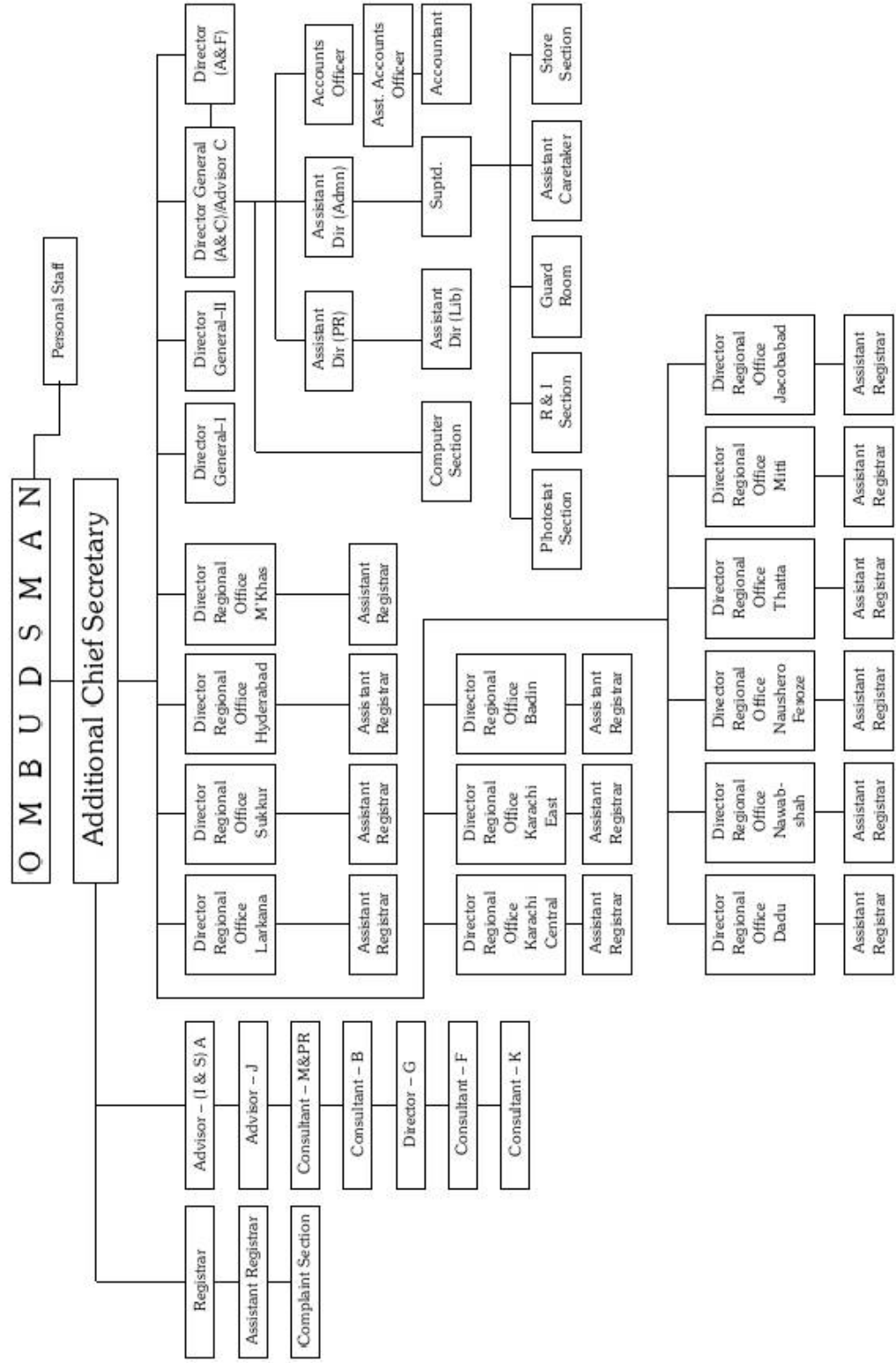
4. Following are some other salient features, which distinguish the Institution of the Ombudsman, from other institutions in the Province.

- The Ombudsman's institution provides a speedy and informal forum for those who have suffered through mal-administration.
- No fee is charged. Redressal is provided absolutely without involving expenditure on the part of the complainant.
- The remedy provided by the Ombudsman is free from technical and legal intricacies.
- Section 33 of the Sindh Ombudsman's Act empowers him to informally conciliate, amicably resolve, stipulate settle or ameliorate any grievance without the necessity of docketing any complaint or issuing any official notice.
- The dilly dallying tactics of the functionaries, their deliberate inaction and impervious attitude, causing loss to any person attracts the special attention of the Ombudsman and besides provision of relief to the aggrieved, he can ensure the Agency and its functionaries responsible.

5. To sum up, the essential characteristics and special features of the institution of Ombudsman are enshrined in its: (a) universal acceptability (b) accessibility (c) quick and cheap administration of justice. Any success in dismantling the red tapism in the government departments and its functionaries and effectively introducing the system of accountability is definitely a great distinctive feature.

# Organization Chart

EXISTING ORGANIZATION CHART OF THE SECTT. PROVINCIAL OMBUDSMAN (MOHTASIB) SINDH



# Historical Perspective

1. Ombudsman is a Swedish word, used for a Government Official who investigates citizens' complaints against the Government or its functionaries and assists in achieving fair settlements. The word assumed its specific meaning, as we understand it today, in 1809 when an institution of the Ombudsman was set up in Sweden followed by Denmark. In Britain same person is called Parliamentary Commissioner for Administration. At present more than 170 Ombudsman Institutions are operating in 51 countries around the World, including Pakistan.

2. There is a strong evidence to believe that Sweden borrowed the concept of this institution from the Turks. After his defeat by the Russians in 1709 the Swedish King Charles XII took refuge in Turkey, where he was impressed by the working of the institution of 'Qadi-ul-Qudat'. While still in Turkey he issued an order for the creation of such an office in Sweden which later on came to be known as the Office of "King's Chancellor of Justice". After more than 50 years marked by a struggle between the King and the Parliament as to whom the chancellor should be answerable, the new institution of Ombudsman was set up under the constitution and its linkage with the Parliament was effectively ensured in 1809, but the Ombudsman remained independent of the executive and the Parliament with regard to his functions and decisions.

3. The Holy Quran clearly brings out that justice without discrimination of caste, creed and colour is the cardinal principle of Islam. Before the times of the Holy Prophet (P.B.U.H.), the Bedouin tribes of Arabia were not aware of administration in proper sense. The Holy Prophet (P.B.U.H.) bequeathed to the Ummah an organized and responsible administrative system based on the principles of equality, justice and accountability. The Holy Prophet (P.B.U.H.) said,

”حاسبوا قبل أن تحاسبوا“

“Take account of your deeds before you are subjected to accountability”.

This immortal saying of the Holy Prophet (P.B.U.H.) shall ever remain as a “Beacon of Light” for all. It is further illustrated in the saying of Hazrat Ali (R.A) in these words:

”الملة ببقى مع الكفر ولا ببقى مع الظلم“

“A country can survive with 'Kufr' but it cannot survive with 'Zulm'.

The great Sufi poet and WaliAllah Shah Abdul Latif Bhitai also conveyed the saying of the Holy Prophet (P.B.U.H.) in his inimitable manner, "If you make your conscience a Judge of your deeds, you will not need any formal external Judge".

4. The word Mohtasib, an Islamic equivalent of modern Ombudsman, derives its origin from the Quranic word 'Hisab'. In Quran the word 'Yomul Hisab' means the Day of Accountability or Day of Judgment, when every one would be rewarded or punished on the basis of his/her performance in this world. When applied to this world, 'Hisab' means accountability where by every wielder of public authority is to give account of his exercise of the authority which is given to him in trust, to be exercised for the public good.

5. Administrative controls were first introduced by Caliph Omer (R.A), who created the institution of Mohtasib to supervise and settle disputes in towns and market places to ensure that customers were not cheated. The Mohtasib enjoyed complete independence. Hazrat Ali (R.A) took this institution to the level of its perfection.

6. The principles of administration in Islam, besides being embodied in the Holy Quran, emanate from numerous sacrosanct sources. For common understanding they are enshrined in a simple manner in an epistle addressed by Hazrat Ali (R.A) to Hazrat Malik Ashtar, his Governor of Egypt, which is and shall remain ever the guiding principle for all the administrators in any Muslim State. The pivotal element in this epistle is the law and administration of justice to provide well being and security for all members of society regardless of their faith, colour and creed. This eternal commandment provides a genuine criterion to distinguish between the right and the wrong. Essence of his comprehensive advice to the Governor is to dispense justice fairly without taking into account whether an accused is a relative or not, to cut out any remotest possibility of discrimination. No where more directly and convincingly than in Hazrat Ali's celebrated communication are embodied the principles of administration and governance. It gives clear guidance on the fundamental aims and duties of the Islamic Government.

7. It will be worthwhile to quote from Hazrat Ali's directive on the Inspection which is most relevant to the subject, as under:-

“You may also appoint trustworthy and honest men to keep a watch over the activities of the government functionaries. The fact that they know that they are being watched secretly, will keep them away from dishonesty, misrule, malpractice and tyrannizing of the subjects.”

8. Because of its ideological root and importance for an Islamic State, the Institution of Mohtasib was preserved with varying formats and effectiveness under the subsequent Muslim Rulers. Under the Abbasids the institution was called “Diwan-al-Mazalim” and its function was to examine public complaints against government officials. It was headed by a senior functionary, a practice which was followed by the Ottoman Turks when the institution was known as ‘Qadi-ul-Qudat’.

9. Almost all the Muslim countries have some mechanism for redressal of public complaints parallel to the old ‘Diwan-al-Mazalim’. In 1954 Saudi Arabia set up such an agency which was replaced by the ‘Board of Grievances’ in 1982. It is an independent body headed by an officer with the rank of Minister and is directly responsible to the King. There is no appeal against its decisions.

10. It is interesting to note that the Ombudsman Institution in the Muslim countries are linked with the Chief Executive. Jordan’s Civil Service Commissions, Bahrain’s Civil Service Bureau, Egypt’s Minister of Justice, Libya’s Department for Administrative control and Pakistan’s Wafaqi Mohtasib are answerable to the Head of the State in the mode of their appointment and submission of reports. In the case of Iraq its Regional Legislative Council is a complaint redressing body as well.

11. In Pakistan the institution of Ombudsman finds its serious mention in the interim Constitution of 1972, Article 276 of which provides for appointment of Ombudsman both at Federal and Provincial levels. However, in the Constitution of 1973 the subject is mentioned only in the Federal legislative list. A beginning in that direction was also made. Simultaneously with the appointment of the Prime Minister’s representative on Administrative inspection under an Executive order which functioned until 1977. In any case the concept of administrative accountability remained in cold storage up to 1983, when the institution in its modern form was created under a Presidential Order.

12. The establishment of the office of Wafaqi Mohtasib (Ombudsman) was indeed a landmark in the history of Pakistan. Eminent scholars, media experts and administrative lawyers have also admired its utility unreservedly. Simultaneously they had been advocating for setting up Provincial Mohtasib since more than half of public grievance voiced at this forum pertained to provincial domain. The Wafaqi Mohtasib had been recommending incessantly setting up of Institution of the Provincial Ombudsman to complete the process of administrative accountability.

13. It is a matter of great satisfaction that ice has at last broken and Sindh Province pioneered in appointing Provincial Mohtasib, who started performing his functions under the Act from 18th June, 1991.

14. This Institution is becoming popular both in the Western and Eastern Countries. It is hoped that more Countries will set up such Institutions in due course of time.

## Provincial Ombudsman Sindh: Events

### Inauguration of the Regional Office, Thatta

The Honourable Governor of Sindh, Dr. Ishrat-ul-Ebad Khan inaugurated the Provincial Ombudsman Sindh's Regional Office in Thatta on June 3, 2008.

The inauguration ceremony was combined with a seminar on "The Role of Ombudsman in Checking Mal-Administration" which was presided over by the Honourable Ombudsman, Mr. Asad Ashraf Malik. The seminar was held in a superb and well illuminated marquee erected on the airy Makli hills. It was addressed by local intellectuals and veteran educationists. The participants included a cross section of citizens and dignitaries of Pakistan.



Dr. Ishrat-ul-Ebad Khan, Honourable Governor, Sindh & Ombudsman  
Mr. Asad Ashraf Malik praying after unveiling plaque at R.D Thatta Office.

Mr. Ghulam Mustafa Zaur, a young activist and an office bearer of a local NGO, delivered the opening speech. He enthusiastically welcomed the opening of the regional office in Thatta and, termed it as a historical moment. According to him, it was a great day for the people of Thatta who would now be able to gain access to administrative justice at their doorstep rather than being forced to make day trips to Karachi for attending the several hearings required for my average decision.

The next speaker, Professor Maryam Majeedi, a veteran educationist, stressed upon the need of justice in a civilized society. She said that societies which could not impart justice to their citizens were destined to be reduced to rubble and

vanish from the pages of history. She valued the simple manner in which the institution of Sindh Ombudsman worked. She said it was inexpensive, prompt and within the reach of a common man; and now it was in their city. She emphasized upon the people of Thatta to make the most of this opportunity.

Another senior educationist, Professor Aziz Jafrani went back into the history of the institution of ombudsman and dwelt upon its past record. He was of the view that there was a co-relationship between strengthening the institution of ombudsman and advanced social orders. Countries which had been able to establish a reliable administrative-justice setup were alive to the requirements of the welfare of their populace.



Honourable Governor, Sindh Dr. Ishrat-ul-Ebad Khan cutting the ribbon to inaugurate Ombudsman's Regional office at Thatta.

Dr. Muhammad Ali Manji, a well-known intellectual of Thatta, also addressed the seminar. He said that the institution of Ombudsman would be effective only when government gives it a full support and takes prompt disciplinary action against the officers who do not respond to its references.

The Honourable Governor of Sindh, Dr. Ishrat-ul-Ibad Khan unveiled the commemorative plaque and prayed for the success of the office. He then, formally inaugurated the office by cutting the ribbon and took a round of the office. Provincial Ombudsman, Mr. Asad Ashraf Malik led him to different sections of the Regional office and introduced the staff detailed there. Khan

Yousuf Jamal, the former Ombudsman Sindh, Mr. Ashfaq Ahmed Memon, Secretary of the Ombudsman's Office and other officers of the Ombudsman Secretariat were also present. The Honourable Governor expressed his pleasure and lauded the efforts of the Ombudsman, Mr. Asad Ashraf Malik and members of his Secretariat for setting up the Thatta office.

The inauguration ceremony started with a welcome address by Mr. Ashfaq Ahmed Memon, the Secretary of the Ombudsman's Secretariat. He was thankful to the Honourable Governor for his keen interest in the affairs of Ombudsman's Secretariat. He Specially mentioned instances when summaries regarding issues of the Ombudsman Secretariat were approved by the Honourable Governor and returned within 24 hours after being sent. He said that with this kind of support from the Honourable Governor, the Sindh Ombudsman's Secretariat had been able to open several regional offices including this one, within a short period.

The Honourable Ombudsman, Mr. Asad Ashraf Malik was the next to address the audience. He expressed his determination to expand the outreach of Ombudsman's office. He said that his goal was to have a regional office at every district headquarter of Sindh. He announced that five new regional offices would be opened in the coming year. The proposal had been approved by the Governor and it was now being sent to Sindh Government for allocation of the budget. He pointed out some bottlenecks in the present Ombudsman Act and said that he already had proposed amendments in the law. He hoped that the Governor would extend his support, like always, for getting those amendments adopted. He thanked the Honourable Governor for taking the trouble to come all the way to Thatta for inaugurating this Regional Office.

The ceremony was also addressed by Mr. Jalil Memon, the Provincial Minister for Cooperatives, Mr. Raza Haroon, the Provincial Minister for I.T. and Mr. Shah Hussain Shah Shirazi, a member of the Provincial Assembly.

The Honourable Governor expressed his gratitude to the Ombudsman for inviting him to such a memorable occasion and assured him of his full support for the redress of public grievances. He said that he would look into the proposed amendments in the Ombudsman's Act and put all his weight to make it more effective for achieving the goal of dispensation of administrative justice, quickly and inexpensively.

## Provincial Ombudsman Sindh: Events

### Eid Milad-un-Nabi (SAW)

Keeping with a long standing tradition of the Secretariat Provincial Ombudsman Sindh, the annual Milad-un-Nabi (SAW) was celebrated on May 29th, 2008 at office lawn. The function was well attended by all the officers and the staff of the office of Ombudsman Sindh. A well known religious scholar, Syed Shah Turab-ul-Haq Qadri was the Chief Guest; he addressed the occasion.

The Honourable Ombudsman Mr. Asad Ashraf Malik in his welcome speech highlighted the importance of such traditional religions events. He further added that the Ombudsman Secretariat will arrange a 'Seerat Conference' next year, InshaAllah!



Syed Shah Turab-ul-Haq Qadri praying alongwith Ombudsman Sindh and Secretary Ombudsman Secretariat on conclusion of Eid Milad-un-Nabi (SAW).

Syed Shah Turab-ul-Haq Qadri elaborated on the life of the Holy Prophet (PBUH) and quoted examples from the life of the Holy Prophet (PBUH), who was a role model for all mankind. His daily life was a beacon for all our personal and official business related activities. He concluded his address by saying that if we wish to please Allah then we have to adopt Seerat-e-Mustafa (SAW). After dua traditional sweets were distributed.

## Provincial Ombudsman Sindh: Events

### Visit of NWFP Law Minister & UNICEF Officers to POS Secretariat

Mr. Arshad Abdullah, Minister for Law, NWFP paid a visit to the Secretariat of the Provincial Ombudsman, Sindh on December 13, 2008 to meet the Provincial Ombudsman Mr. Asad Ashraf Malik and officers of his Secretariat. The minister was accompanied by a small delegation.



Barrister Arshad Abdullah, Law Minister N.W.F.P Called on Provincial Ombudsman Sindh Mr. Asad Ashraf Malik alongwith Ms. Natasha Simonson & Ms. Deirdre Kiernan of UNICEF Pakistan to discuss establishment of Ombudsman Institution in NWFP.

The primary purpose of the visit was to seek the advice of the Sindh Provincial Ombudsman on various issues relating to the establishment of an Ombudsman's office in NWFP which was the only province without such an institution. Sindh for its part was the first province to establish a Provincial Ombudsman office in 1991 and accordingly had the most experience in this regard. In response to a query, the Ombudsman informed the minister that since inception nearly 125,372 complaints had been filed with the Ombudsman Sindh of which 8000 were filed in 2007.

The Minister inquired about the challenges being faced by the Ombudsman Sindh especially with regard to any improvements in the Act and the perennial issues of obtaining finances and implementation of decisions.



Delegation of UNICEF called on Provincial Ombudsman Sindh for setting up a Children Complaints Office.

The lead in establishing the NWFP Provincial Ombudsman office had come through the proposal to partner with UNICEF for developing a dedicated Wing for Child Rights within the Ombudsman's Secretariat.

Also present on the occasion were Ms. Deirdre Kiernan, Chief UNICEF Sindh Field Office, Ms. Natasha Simonsen, Child & Adolescent Protection, UNICEF Pakistan Country Office and other officers of UNICEF including Dr. Jabeen Fatima of UNICEF Sindh.

## Images and Reflections



Provincial Ombudsman Mr. Asad Ashraf Malik administering oath to newly appointed officers of Ombudsman's regional offices.



Mr. Abu Ahmed Akif, D.G Ombudsman Secretariat giving a presentation to Ombudsman Sindh Mr. Asad Ashraf Malik about web-site of Ombudsman Sindh.

## Images and Reflections



Provincial Ombudsman, Mr. Asad Ashraf Malik receiving memento from Justice (Rtd.) Saeed-uz-Zaman Siddiqui on conclusion of Consumer Protection Seminar.



Mr. S. N. Abbasi, Chairman, Sindh Public Service Commission called on Provincial Ombudsman Sindh. He is seen discussing issues of mutual interest with Mr. Asad Ashraf Malik, Ombudsman, Sindh.

## Images and Reflections



Provincial Ombudsman Mr. Asad Ashraf Malik addressing seminar on Consumer Protection.



Provincial Ombudsman Mr. Asad Ashraf Malik addressing the participants of SIEMENS annual dinner & prize distribution ceremony as Guest of Honour.

## Images and Reflections



Mr. Sohail Wajahat Siddiqui M.D., SIEMENS Pakistan presenting a memento to Guest of Honour Mr. Asad Ashraf Malik, Ombudsman Sindh. Federal Advisor to Prime Minister on Petroleum, Dr. Asim Hussain is also present.



Provincial Ombudsman, Sindh presenting a memento to Maj. Gen. Mukhtar, D.G. NAB on his transfer. Maj. Gen. Liaquat, D.G. Rangers Sindh, Lt. Gen. (Rtd.) S.P. Shahid and former Ombudsman Sindh Mr. Yousuf Jamal are also in picture.

## OMBUDSMAN AS A ROLE MODEL FOR THE ACCOUNTABILITY INSTITUTIONS

1. The world over a large number of institutions of the system like that of Ombudsman have been established and on the whole experiment has been extremely successful. By and large such institutions are regarded as an effective forum dispensing early and effective relief. Invariably the constitutions of the countries all over the world, whether written or unwritten based on age traditions and practices, have also committed to their citizens the economic, social and individual justice. This could be well achieved through the system of Ombudsman, which unlike other institutions obliges the Agencies to act expeditiously for redressal of grievance. In fact the institution of Ombudsman has emerged as a *sine qua non* of people's welfare.

2. The system is no longer in its embryonic stage and is now universally regarded as an effective device for controlling the bureaucracy. It is an important institution of the Parliament in most of the countries in the west. Though accountability of the executives and administrators for a cleaner administration is the cardinal point of the Ombudsman's Institution, yet it has been known for its cheap, informal, friendly and quick disposal of the grievances. Its accessibility, its democratic disposition and helpful attitude and its binding influence on the administration all provide the governmental machinery with legal basis for further action. This institution has profoundly impacted the conduct and attitude of bureaucracy. In fact the real potential strength of the Ombudsman lies in his informal investigation and accessibility to the common man.

3. Ombudsman is a role model in the domain of informal dispensation of justice and puts strenuous demands on the person of Ombudsman. Universally acknowledged qualities like justice, fairplay, neutrality accompanied by legal and moral acumen are major components of his personality facilitating his mission of quick and inexpensive dispensation of justice. An Australian Professor has described him "as one combining and intimate knowledge of his country's government and leading political and administrative personalities with a profound belief in freedom and democracy".

4. One is sometimes misled by the informal proceedings in a tension free atmosphere and at first glance considers the institution a sword without a sharp cutting edge but factually as quiet, precise & deep as LASER. The Ombudsman by and large is a potent and versatile weapon. Normally the Ombudsman in most of the countries are concerned with his reformatory role and take steps to

put the wayward bureaucracy and other government machinery on track and seldom overturns a decision it finds to be erroneous, as the overturning are mostly left to the concerned department themselves. In so doing the Ombudsman's authority is exercised in a subtle & discrete manner without traditional fan fare but its influence is nevertheless strongly inbuilt in his orders and decisions and recommendations. Ombudsman's authority is exercised through persuasion rather than coercion, binding the Agencies legally & morally to rectify their acts unlike other traditional institutions.

5. As a new institution, the Ombudsman initially faced resistance and was seen with suspicion and doubt. For example the labour parties in Europe and so in Newzealand were initially highly critical and opposed to the Ombudsman system. They viewed that the system would tend to benefit the wealthy and rich in their rear-guard actions. "It took time to convince the labour parties who were then persuaded by the arrangements of the Civil Service Unions who had feared that Ombudsman would add to their problems and feed public attitudes already inclined to be unfriendly towards the civil servants". The adequate understanding of the Ombudsman's institution and its role can however be gauged by various names and titles given to it and incidentally each reflects one or the other distinguishing characteristics of the Ombudsman. These names signify Ombudsman's helpful and constructive role in the investigation of the individual problems in the same manner as he view the problems of general public interest.

6. In Pakistan, emergence of this institution due to its inherent quality of a public – friendly attitude and tremendous efforts put in by the early and subsequent incumbents it received a positive and enthusiastic response. Consistency, positive approach and expeditious disposal have given sound foundation to this institution in Pakistan. Some outstanding Ombudsmen are listed below.

7. Mr. Hafizur Rehman – a reputed journalist who had once remained associated with the Wafaqi Ombudsman's Secretariat, in his column appeared in DAWN dated 5th June, 1999 while recounting the role model of the Ombudsman, enlisted glowing tributes to Justice (R) Abdul Shakoorul Salam on the eve of his departure and on completion of his tenure as Wafaqi Mohtasib (Federal Ombudsman). He portrayed his pen picture in the following words:

“It goes to Mr. Salam’s credit that he invested his office with his own integrity and it acquired esteem after a long time as “Farashta-e-Rahmat (Angel of Mercy)” as complainants used to call it once”.

8. Similarly (Mr. Rahman) has praised Sardar Muhammad Iqbal, First Wafaqi Mohtasib (1983-86) for the way he laid the foundation of the Wafaqi Mohtasib’s Secretariat, designed its working, devised the procedures, pursued complaints, met his Officers every day and held daily meetings with any complainant who happened to be around. The pioneer work done by the First Ombudsman Sindh – Mr. S.M. Wasim was acknowledged and applauded profusely by the public and media both. His long and varied experience as a senior civil servant & his previous association with the Wafaqi Mohtasib – before he was chosen for this exalted position had also immensely contributed to the building of the reputation of this institution. The people who were craving and crying for such an institution since years, found in him a forum of the last resort. In fact he had put the institution on even keel, which facilitated the job of his successors.

9. Due to its versatile Services and valuable contribution to the welfare of people, Ombudsman’s institution has been acclaimed & appreciated the world-over. Some of those titles which have been given to the Ombudsman in appreciation of the services rendered by various prominent scholars who had also in the past contributed on the subject, will definitely interest the readers as each of the under mentioned title speaks immensely of the attributes attached to the personality of the Ombudsman (Mohtasib).

- |                                      |                                      |
|--------------------------------------|--------------------------------------|
| 1. Protector                         | 11. Educator of officialdom          |
| 2. Gaurdian of the law               | 12. A tonic of public administration |
| 3. Voters spokesman                  | 13. A safety valve                   |
| 4. Gaurdian of the citizens          | 14. Watchmen                         |
| 5. Controller of Controllers         | 15. Poor men’s friend                |
| 6. Safeguard against high handedness | 16. Similar of the wicked            |
| 7. Redresser                         | 17. Citizen’s Appellate Authority    |
| 8. Grievance Man                     | 18. Voice of Parliament              |
| 9. Forum of the resort               | 19. Trend Setter for good            |
| 10. Administrative Reformer          | Governance                           |

# Statistical Analysis

## Statement showing Receipts and Disposal of Complaints received from January to December 2008

### Complaints received during the period from January to December 2008

Provincial Government Agencies	6636
Federal Government Agencies	402
Total receipts from January to December 2008	7038

### Action taken on complaints relating to Provincial Government Agencies after initial scrutiny from January to December 2008

Admitted for Investigation u/s 10	3347	} 3353
Admitted u/s. 33	06	
Forwarded to the Agencies for necessary action	1450	
Rejected + (Deferred/Anonymous/Pseudonymous)	756	
Advised to approach the higher authorities or await action by the authorities	1077	
Total:	6636	

### Nature of Complaints against Provincial Government Agencies Rejected / Not Entertained after initial scrutiny during the period under report

Service matters	156
No case of mal-administration	214
Private matters	34
Subjudice	17
Anonymous/Pseudonymous	249
General Complaints	03
Time barred	31
Closed on account of non response from the complainants (in not admitted cases)	52
Total:	756

## Statement Showing Yearwise Break Up of the Complaints

NATURE OF COMPLAINTS	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	TOTAL
Total Complaints	1768	8595	10349	8236	6466	6167	6233	5586	5582	6551	6637	7297	7382	7813	8846	6889	7937	7038	125372
Federal Government Agencies	192	969	981	716	629	635	559	518	531	591	595	713	698	851	333	238	466	402	10617
Provincial Government Agencies	1576	7626	9368	7520	5837	5532	5674	5068	5051	5960	6042	6584	6684	6962	8513	6651	7471	6636	114755
BREAK-UP OF THE COMPLAINTS PERTAINING TO THE PROVINCIAL GOVERNMENT AGENCIES																			
Advised to approach higher authorities/ await action by authorities.	93	1245	1782	1951	1610	2302	2156	2303	2074	1689	2038	2375	2506	2737	2656	1951	1589	1077	34134
Forwarded for necessary action	53	1022	1335	400	488	480	870	757	588	602	509	897	1299	1321	1312	1144	1300	1450	15827
Admitted U/S.10	667	2676	3755	3021	2085	498	660	644	860	1850	1782	1594	1359	1534	2733	2203	3008	3347	34276
Admitted U/S.33	-	-	-	-	-	-	-	-	-	-	-	55	22	25	6	13	530	6	657
Rejected, (Deferred, Anonymous / Pseudonymous)	763	2683	2496	2148	1654	2252	1988	1364	1529	1819	1713	1663	1498	1345	1806	1340	1044	756	29861
TOTAL	1576	7626	9368	7520	5837	5532	5674	5068	5051	5960	6042	6584	6684	6962	8513	6651	7471	6636	114755

BREAK-UP OF THE COMPLAINTS REJECTED INITIAL LAY																			
Service matters	191	851	789	718	515	465	310	333	348	359	284	397	353	373	385	256	222	156	7305
No mal-administration	89	310	308	336	294	303	287	280	316	464	576	539	355	273	784	470	268	214	6466
Private matters	84	425	292	199	96	112	56	42	75	71	31	91	90	70	83	76	68	34	1995
Subjudice	53	221	191	161	115	97	62	14	56	42	29	30	74	51	94	75	49	17	1431
Anonymous/ Pseudonymous	43	532	642	420	342	328	358	287	306	356	447	391	405	387	359	386	339	249	6577
General Complaints	36	124	125	119	81	65	82	23	25	39	28	17	11	9	6	2	6	3	801
Time barred	1	21	26	51	30	87	74	64	24	20	80	97	140	105	79	65	47	31	1042
Closed due to non response (not admitted cases)	266	199	123	144	181	795	759	321	379	468	238	101	70	77	16	10	45	52	4244
TOTAL	763	2683	2496	2148	1654	2252	1988	1364	1529	1819	1713	1663	1498	1345	1806	1340	1044	756	29861

## Statement showing the yearwise Decisions taken upto December 2008

1992	<b>Total Decisions</b>	<b>1581</b>		
	(I) Relief	1086	Cases	
	(II) Rejected	<u>495</u>	Cases	
		<u>1581</u>		
1993	<b>Total Decisions</b>	<b>3088</b>		
	(I) Relief	2282	Cases	
	(II) Rejected	<u>806</u>	Cases	
		<u>3088</u>		
1994	<b>Total Decisions</b>	<b>2997</b>		
	(I) Relief	2154	Cases	
	(II) Rejected	<u>843</u>	Cases	
		<u>2997</u>		
1995	<b>Total Decisions</b>	<b>2362</b>		
	(I) Relief	1721	Cases	
	(II) Rejected	<u>641</u>	Cases	
		<u>2362</u>		
1996	<b>Total Decisions</b>	<b>1167</b>		
	(I) Relief	927	Cases	
	(II) Rejected	<u>240</u>	Cases	
		<u>1167</u>		
1997	<b>Total Decisions</b>	<b>854</b>		
	(I) Relief	626	Cases	
	(II) Rejected	<u>228</u>	Cases	
		<u>854</u>		
1998	<b>Total Decisions</b>	<b>1017</b>		
	(I) Relief	740	Cases	
	(II) Rejected	<u>277</u>	Cases	
		<u>1017</u>		
1999	<b>Total Decisions</b>	<b>876</b>		
	(I) Relief	666	Cases	
	(II) Rejected	<u>210</u>	Cases	
		<u>876</u>		
2000	<b>Total Decisions</b>	<b>869</b>		
	(I) Relief	668	Cases	
	(II) Rejected	<u>201</u>	Cases	
		<u>869</u>		

2001	<b>Total Decisions</b>	<b>1812</b>		
	(I) Relief	1518	Cases	
	(II) Rejected	<u>294</u>	Cases	
		<u>1812</u>		
2002	<b>Total Decisions</b>	<b>1418</b>		
	(I) Relief	1026	Cases	
	(II) Rejected	<u>392</u>	Cases	
		<u>1418</u>		
2003	<b>Total Decisions</b>	<b>1177</b>		
	(I) Relief	862	Cases	
	(II) Rejected	<u>315</u>	Cases	
		<u>1177</u>		
2004	<b>Total Decisions</b>	<b>944</b>		
	(I) Relief	629	Cases	
	(II) Rejected	<u>315</u>	Cases	
		<u>944</u>		
2005	<b>Total Decisions</b>	<b>1899</b>		
	(I) Relief	1035	Cases	
	(II) Rejected	<u>864</u>	Cases	
		<u>1899</u>		
2006	<b>Total Decisions</b>	<b>2123</b>		
	(I) Relief	951	Cases	
	(II) Rejected	<u>1172</u>	Cases	
		<u>2123</u>		
2007	<b>Total Decisions</b>	<b>2708</b>		
	(I) Relief	1906	Cases	
	(II) Rejected	<u>802</u>	Cases	
		<u>2708</u>		
2008	<b>Total Decisions</b>	<b>1313</b>		
	(I) Relief	973	Cases	
	(II) Rejected	<u>340</u>	Cases	
		<u>1313</u>		

## **GRAND TOTAL**

### **TOTAL DECISIONS 28,205**

(I)	Relief	19770	Cases
(II)	Rejected	<u>8435</u>	Cases
		<u>28205</u>	

# Representations To Governor

Representations received from	Jan. 2008	to	Dec. 2008	16
Representations decided from	Jan. 2008	to	Dec. 2008	11
Total Representations to Honourable Governor from	Oct. 1991	to	31.12.2008	315
Total Representations decided by the Honourable Governor from	Oct. 1991	to	31.12.2008	310
Total Representations Pending with the Governor Secretariat as on 31.12.2008	-		-	05

Relief Provided	Nil	Relief Provided	58
Rejected	<u>11</u>	Rejected	<u>252</u>
			<u>310</u>

BF. 2007	Receipt	Total	Decided	Pending
	Jan. 2008 to Dec. 2008	=	Jan. 2008 to Dec. 2008	= as on 31.12.2008
NIL	<u>16</u>	<u>16</u>	<u>11</u>	<u>05</u>

## Decisions Taken During The Period January To December 2008

Case Reg. Year	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
Relief Provided	-	-	-	-	3	7	5	12	30	97	129	427	263	973

Rejected	-	-	-	-	1	1	4	7	11	56	73	146	41	340
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Grand Total:	0	0	0	0	4	8	9	19	41	153	202	573	304	1313
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## Departmentwise details of complaints received from 1991 to 2008

S.NO	DEPARTMENT	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	G.TOTAL
01	K.D.A	190	482	425	282	221	146	226	177	177	251	284	282	138	133	226	168	194	102	4104
02	K.M.C/CITY DIST. GOVT.	80	376	507	785	289	223	224	178	183	294	395	503	335	325	635	845	755	495	7427
03	LOCAL GOVT.	119	778	935	633	500	395	490	463	482	565	509	632	614	623	965	615	669	331	10318
04	H.T.P.	16	54	223	298	216	206	131	199	173	443	405	525	281	124	402	323	262	115	4396
05	HOME / POLICE	212	690	1080	995	838	903	1056	993	871	963	1266	930	1550	1756	1202	930	1201	1119	18555
06	EDUCATION	197	1291	1627	1246	1023	1009	895	602	654	789	849	895	92	851	850	695	781	829	15175
07	C & W	35	282	288	342	272	141	151	122	146	109	76	147	315	104	307	291	207	183	3518
08	IRRIGATION & POWER	72	421	625	478	367	434	81	357	367	391	265	272	818	503	910	511	756	609	8237
09	LABOUR	42	184	189	101	137	145	242	63	70	92	64	70	61	58	117	90	25	32	1782
10	HEALTH	32	266	253	203	184	198	193	150	138	176	214	207	253	233	299	89	117	101	3306
11	REVENUE	210	1190	1478	801	550	531	630	597	495	589	461	481	572	665	889	661	706	609	12115
12	EXCISE & TAXATION	26	89	88	71	58	49	82	76	29	57	54	144	74	50	154	101	121	96	1419
13	AGRICULTURE	43	82	153	88	67	98	81	87	48	99	73	110	92	100	111	88	99	88	1607
14	FOREST, W.LIFE & FISHERIES	04	43	67	86	78	74	34	42	37	47	27	70	23	74	83	71	20	29	909
15	IND. & MIN.	27	85	85	63	31	31	18	37	61	30	31	44	64	33	60	55	30	26	811
16	FOOD	29	95	64	74	37	34	49	50	52	40	40	97	31	39	41	49	10	22	853
17	INFORMATION	-	20	10	08	06	04	01	01	-	02	04	31	02	01	10	09	01	06	116
18	LAW DEPARTMENT	21	16	04	05	-	01	03	05	02	05	03	04	19	01	02	03	0	02	96
19	PL. & DEV.	-	04	11	08	18	10	-	-	-	02	02	20	03	0	06	10	01	03	98
20	S & GAD	26	137	99	75	32	32	60	49	59	98	72	97	0	98	84	61	75	69	1223
21	SOCIAL WELFARE	16	142	76	30	33	23	11	10	25	19	21	59	08	33	55	42	19	31	653
22	FINANCE	20	60	65	26	24	19	30	29	22	22	15	57	60	25	40	38	50	42	644
23	CULTURE & TOURISM	04	04	09	05	01	02	02	-	-	-	03	39	29	07	15	11	09	23	163
24	ZAKAT & USHR	16	94	199	124	67	35	12	30	18	51	83	173	06	180	101	198	189	386	1962
25	POPULATION & WEL.	04	09	15	03	08	12	07	06	06	13	04	36	390	18	18	15	11	10	585
26	A.G.SINDH	-	-	-	-	-	-	-	-	-	-	-	-	-	05	49	74	131	146	405
27	ANTI-CORRUPTION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	08	11	09	28
28	LABOUR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	44	20	64
29	S.E.S.S.I	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	09	10	19
30	P.H.E.D	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10	15	25
31	K.B.C.A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	137	169	306
32	AUQAF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22	17	39
33	S.P.S.C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	08	05	13
34	K.W & S.B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155	143	298
35	TRANSPORT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30	39	69
36	COOPERATION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	32	35	67
37	E.P.A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	08	06	14
38	AGENCY NOT GIVEN	20	164	215	292	435	638	286	203	204	427	811	572	23	904	799	523	498	630	7644
39	PRIVATE MATTER	115	568	578	398	345	139	679	542	732	386	11	87	831	19	83	77	68	34	5692
40	FEDERAL GOVT. AGENCY	192	969	981	716	629	635	559	518	531	591	595	713	698	851	333	238	466	402	10617
	GRAND TOTAL	1768	8595	10349	8236	6466	6167	6233	5586	5582	6551	6637	7297	7382	7813	8846	6889	7937	7038	125372

## Agencywise distribution of Admitted Cases during the Year 2008

S.No	Name Of Department	No. Of Cases
1	Home / Police	697
2	City District Govt. (K.M.C Defunct)	309
3	Revenue	322
4	Local Government	215
5	Education & Literacy	439
6	Irrigation & Power	252
7	Housing & Town Planning	69
8	Karachi Development Authority (K.D.A. Defunct)	78
9	Accountant General Sindh	99
10	Zakat & Ushr	286
11	Health	59
12	Works & Services	67
13	Karachi Building Control Authority	69
14	Karachi Water & Swerage Board	85
15	Agriculture Department	60
16	Finance	27
17	Excise & Taxation	20
18	Industries, Mines & Mineral	19
19	Food	10
20	Labour	11
21	Services, General Administration & Coordination Department	39
22	Social Welfare	9
23	Population & Welfare	2
24	Forest	3
25	Culture & Tourism	15
26	Information	3
27	Anti Corruption Establishment	2
28	Sindh Public Service Commission	2
29	Environment and Alternative Energy	4
30	Transport	30
31	Sindh Employees Social Security Insitution	4
32	Public Health Enginerring Departement	11
33	Fisheries and Wild Life	3
34	Cooperation	25
35	Auqaf	8
Total:		3353

## Agencywise distribution of Admitted Cases from 1991 to 2008

S.No.	DEPARTMENT	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	G.TOTAL
01	K.D.A	120	280	265	172	67	36	56	48	96	163	164	133	47	66	169	111	89	78	2160
02	K.M.C/CITY DIST. GOVT.	48	226	704	602	315	63	76	50	84	142	241	195	111	149	240	408	291	309	4254
03	LOCAL GOVT.	71	357	429	516	294	69	54	119	161	302	263	186	188	232	401	254	251	215	4362
04	H.T.P	07	69	73	48	19	17	23	28	62	381	362	137	204	86	195	70	99	69	1949
05	HOME / POLICE	91	231	385	175	224	46	48	41	51	150	191	313	259	277	541	376	637	697	4733
06	EDUCATION	76	353	581	470	430	94	97	96	98	230	232	229	211	174	225	250	299	439	4584
07	WORK & SERVICES	19	88	103	224	192	22	18	31	69	45	19	24	09	18	55	43	87	67	1133
08	I & P	33	191	246	215	146	29	38	87	96	152	51	67	78	188	258	136	276	252	2539
09	LABOUR	26	89	97	56	69	60	129	18	25	32	23	11	03	18	29	08	19	11	723
10	HEALTH	14	75	67	48	45	12	10	18	11	24	29	35	22	33	82	46	64	59	694
11	REVENUE	86	530	611	336	174	23	55	55	39	105	80	119	124	166	277	317	284	322	3703
12	EXCISE & TAXATION	11	22	08	10	12	01	06	01	02	12	17	29	19	13	13	12	25	20	233
13	AGRICULTURE DEPTT.	06	18	17	25	15	05	16	11	06	32	27	18	12	20	23	30	68	60	409
14	FOREST	02	07	16	19	23	02	-	03	05	04	07	10	10	07	11	02	10	03	141
15	IND. & MIN.	14	20	18	41	16	04	04	09	21	12	13	15	04	09	08	12	25	19	264
16	FOOD	13	24	24	16	10	03	18	15	15	13	18	14	04	11	07	08	09	10	232
17	INFORMATION	-	05	04	02	01	-	-	-	-	01	01	-	-	-	01	01	01	03	20
18	LAW DEPARTMENT	03	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-	14
19	E.P.A	02	03	08	02	-	-	-	-	-	-	02	05	01	-	-	-	06	04	33
20	S & GAD	07	24	19	09	08	03	02	11	05	24	18	23	16	24	17	07	46	39	302
21	SOCIAL WELFARE	-	08	11	14	06	03	06	02	07	05	06	11	01	02	10	05	05	09	111
22	FINANCE	09	17	25	08	06	02	03	-	05	05	09	07	04	10	16	17	23	27	193
23	CULTURE & TOURISM	02	-	03	03	02	-	01	-	-	-	01	02	01	03	04	01	06	15	44
24	ZAKAT & USHR	06	28	36	09	09	-	-	-	01	15	04	11	30	20	98	40	570	286	1163
25	POPULATION & WEL.	01	-	05	01	02	04	-	01	01	01	04	-	01	05	14	04	04	02	50
26	A.G.SINDH	-	-	-	-	-	-	-	-	-	-	-	-	-	03	39	57	108	99	306
27	ANTI CORRUPTION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	01	03	02	06
28	S.P.S.C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	03	02	05
29	S.E.S.S.I	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	06	04	10
30	PH.E.D	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	06	11	17
31	TRANSPORT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	21	30	51
32	K.B.C.A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	73	69	142
33	FISHERIES / W. LIFE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	02	03	05
34	COOPERATION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	21	25	46
35	AUQAF	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10	08	18
36	K.W&S.B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	91	85	176
GRAND TOTAL		667	2676	3755	3021	2085	498	660	644	860	1850	1782	1594	1359	1534	2733	2216	3538	3353	34825

## Detail of Suo-Moto Cases during the Year 2008

Sr. No	Case No	Agency	Allocated
1	POS/413/2008	City District Government Karachi/ Police	D.G.-I
2	POS/1168/2008	Transport	R.D. Karachi East
3	POS/1586/2008	Environment and Alternative Energy	R.D. Thatta
4	POS/1671/2008	City District Government Karachi	Consultant-F
5	POS/2084/2008	Revenue	D.G.-I



## Special Cases

### DECISION

Complaint No.: POS/558/RL-638(S)/2007

Name and address of the complainant: Mr. Abdul Rahman Kori,  
R/o town Garhi Khairo, District Jacobabad.

Name of the Agency complained against: Education & Literacy Department, Government of Sindh

Name & Designation of Investigating Officer: Mr. Gul Hassan Solangi,  
Director, Regional Office, Larkana

Subject:- COMPLAINT AGAINST MADAM ZAREENA ABBASI,  
HEAD MISTRESS GOVERNMENT GIRLS HIGH SCHOOL  
GARHI KHAIRO

Mr. Abdul Rahman Kori, filed a complain dated 26.12.2007, against Madam Zareena Abbasi, Head Mistress, Government Girls High School, Garhi Khairo, who allegedly demanded bribe/ excess amount of Rs.400/- to 600/- as against the actual amount of enrollment fee of Rs.250/-, from him in the case of enrollment of his daughter namely Miss. Rukhsana. He, therefore, solicited our intervention in the matter.

2. The Agency submitted report dated 12.03.2008 in the matter. The complainant filed rejoinder dated 25.03.2008 to the said report. Later, he voluntarily appeared before the Investigating Officer on 16.04.2008 and informed vide his application of the said date that his grievance regarding enrollment of his daughter in class IX and filling of annual examination form was redressed on intervention of this institution. He added that the Board of Intermediate and Secondary Education, Larkana, also issued examination centre slip to his daughter thus his problem was resolved. Later, he expressed in his statement dated 12.07.2008 that he forgave allegations levelled by him against the Head Mistress Government Girls High Secondary School Garhi Khairo, for the sake of God and Holy Quran and requested us therein to close the case.

3. In view of the above, the complaint stands redressed and disposed of accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 26th July, 2008



## Special Cases

### DECISION

Complaint No.:	POS/2494/2007-E/RTT-38
Name and address of the complainant:	Mr. Ali Akbar Kalhoro, House No.A-82, Second Floor, Al-Mustafa Town, Phase-2, Wadhoo Wah Road, Qasimabad, Hyderabad.
Name of the Agency complained against:	District Government Thatta.
Name & Designation of Investigating Officer:	Mr. Ahmed Jamal Aijazi, Regional Director, Thatta
Subject:-	<u>DELAY IN FINALIZATION OF CASE FOR REIMBURSEMENT OF EXPENSES INCURRED ON MEDICAL TREATMENT OF COMPLAINANT'S WIFE AND DAUGHTER</u>

#### Complaint

Mr. Ali Akbar Kalhoro, stated in his complaint dated nil (received on 18.07.2007) that he was working in the Community Development Department, District Government Thatta, and incurred expenditure of an amount of Rs.53,206/- in connection with the medical treatment of his wife and daughter. His claim for reimbursement of the amount in question was referred by the Secretary Social Welfare Department, Government of Sindh to the Finance Department. After its clearance by the concerned Special Medical Board, in the Sindh Services Hospital, Hyderabad, for Rs.46,107/- only for reimbursement, the Finance Department, Government of Sindh, advised the District Coordination Officer, Thatta to deal with the case further at the level of the District Government, under the devolution plan and according to the F.D's policy circular dated 10.06.2005. However, he alleged delay on the part of the District Government Thatta, in settlement of his claim despite his follow up. He, therefore, solicited our intervention in the matter.

#### Proceedings

2. The matter remained under protracted correspondence and the Investigating Officer also fixed the case for hearing the parties on several dates. Later, the complainant informed vide his letter dated 07.07.2008 that he had received the amount of Rs.46,107/- but he had spent total amount of Rs.49,807/- and requested for getting him the amount of difference. However, another letter dated 18.09.2008 was received from him in our Regional Office, Thatta, that the case may be closed though he had received Rs.46,107/- only against his claim for Rs.49,807/-. Afterwards, he clearly mentioned in his application dated 07.10.2008 (produced by him personally on 08.10.2008 in the Head Office of this institution at Karachi) that he would not claim over and above the amount of Rs.46,107/- received by him, as per endorsement dated 08.10.2008 recorded by him on the said application and requested us to file the case.

#### Decision

3. In view of the above, the complaint stands redressed and disposed off accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 16th October, 2008



## Special Cases

### DECISION

Complaint No.:	No. POS/3750/07/G
Name and address of the complainant:	Mr. Muhammad Rafique Gabol, Block No. 19, Sindh Secretariat No. 4-A, Secretary Finance Office, Sindh, Karachi.
Name of the Agency complained against:	Revenue Department, Govt. Of Sindh
Name & Designation of Investigating Officer:	Mr. Muhammad Akram Saeed, Director-G
Subject:-	<u>COMPLAINT OF MUHAMMAD ABBAS GABOL FOR ALLEGED TAMPERING OF REVENUE RECORD &amp; NON-ISSUANCE OF COPY OF SALE DEED IN RESPECT OF SURVEY NOS. 345 &amp; 352 DEH GUJHRO, SCHEME-33, KARACHI.</u>

### THE COMPLAINT

Mr. Muhammad Rafique Gabol filed a complaint dated 01.11.2007 against Revenue Department alleging tampering of revenue record and non-issuance of copy of the sale deed in respect of the landed property of his deceased father bearing survey No.345 & 352 Deh Gujro, Scheme-33, Karachi. He therefore, sought our intervention in the matter.

### REPORT OF THE AGENCY

2. Mukhtiarkar/ACSO Scheme-33, City District Govt. Karachi vide his letter dated 28.11.2007 reported that Abbas son of Mehar, father of the complainant held 0-0-0 7/10 share in a rupee (1-0-0) in Survey Nos.345 & 352 Deh Gujro, which he had sold out alongwith other shareholders to M/s. Sadaf Cooperative Housing Society Limited through registered Sale Deed No. 360 dated 08.03.1983. Such entry exists in the revenue record in VF-VII, Deh Gujro at S.No.172 & 173 dated 15.08.1983. He also submitted attested photocopies of the record. He further reported that due to non-availability of registration record in his office, the copy could not be provided to the complainant. He also stated that he had written a letter to Sub-Registrar, Central Record Room, City Courts, Karachi.

### COMPLAINANT'S REJOINDER

3. The complainant reiterated his earlier stand and emphatically requested the Ombudsman to direct Mukhtiarkar/ ACSO Scheme-33 AND Sub-Registrar concerned, to produce relevant record and issue him true copy of the registered sale deed.

### HEARING PROCEEDINGS

4. Parties were called and heard. Mukhtiarkar/ACSO scheme-33 produced record alongwith copies of entries duly attested pertaining to the property of the complainant's deceased father. He

further stated that record pertaining to sale deed was not available in his office for which Sub-Registrar had been requested to produce the same. Sub-Registrar, Landhi Town, T-Division- 15, Mr. Muzaffar Hussain Baloch attended hearing and submitted his report dated 27.05.2008. He produced relevant record of the sale deed executed in respect of Survey No.345 & 352 and others Deh Gujhro, Scheme-33, Karachi. He also submitted attested Photostat copies of sale deeds executed in respect of said Survey numbers. Original record was seen and returned retaining on record its photocopies duly attested. The complainant also examined the record and expressed his satisfaction and requested that the attested copies thereof may also be forwarded to him. Later on, photocopies of sale deeds duly attested were provided to the complainant who acknowledged the same vide receipt dated 24.07.2008 and expressed his thanks to this Institution.

### CONCLUSION

5. On the intervention of this Secretariat, the Agency viz. (Mukhtiar Kar /ACSO Scheme-33, Karachi and Sub-Registrar, Landhi Town, Karachi), produced relevant record of sale transaction of the property S.No.345 & 352 and others of Deh Gujhro, Scheme-33, Karachi and submitted its photocopies duly attested. After having seen relevant record and after obtaining attested photocopies of registered sale deed, complainant expressed his satisfaction and requested to dispose off his complaint accordingly.

6. In view of above, the complain stands disposed off as redressed.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 23rd September, 2008



## Special Cases

### DECISION

Complaint No.: POS/2368/08/G

Name and address of the complainant: Mr. Qazi Majid Ali, Flat No. D-2, Gulshan-e-Amin Towers, Block-15, Gulistan-e-Johar, Karachi.

Name of the Agency Complained against: City District Government Karachi.

Name & Designation of Investigating Officer: Mr. Muhammad Akram Saeed, Director-G

Subject:- DELAY IN TRANSFER OF PLOT NO. R-8/1, BLOCK NO. 3A, GULISTAN-E-JOHAR, KARACHI.

### THE COMPLAINT

Qazi Majid Ali filed a complaint dated 22.08.2008 stating that plot No. R8/1, Block 3-A, measuring 140 Sq. Yds., Gulistan-e-Johar, Karachi was originally allotted in 1989 in the name of Mst. Sharifa D/o Muhammad Hussain and thereafter was transferred in the name of three purchasers during the year 1995/96. He purchased the said plot after verification from the concerned authorities who later on denied its transfer in his favour on the ground that the plot in question exists in the non-specified land and quoted order passed by the Hon'ble High Court of Sindh in C.P.No. 1142/1999, though the said case has no relevancy with his case. However, the case was placed before the Committee for non existence of plot, which in its meeting held on 28.04.2007 approved insertion of the plot in lay out plan. The complainant alleged that despite approval of the competent authority and inclusion of the plot in the lay out plan the land management department, CDGK, refused to transfer plot with the plea that the same had been carved out from amenity plot. He, therefore, sought our intervention in the matter.

### REPORT OF THE AGENCY

2. The Deputy District Officer (Sch-36), Land Management-1, City District Government Karachi vide letter dated 29.08.2008 while admitting the contents of the complaint stated that the matter for transfer of the plot could not be finalized as the MPMO, CDGK issued part plan clearly mentioning that further action will be taken as per policy of plots carved out in amenity area.

3. The Deputy District Officer (Sch-36), Master Plan Group of Offices, City District Government Karachi in his report dated 03.09.2008 did not deny the facts of the case. However, he added that the recommendation of the committee has been approved by the City Nazim with the condition that all further actions shall be taken as per policy of plots carved out in the amenity area. Accordingly, condition No. 6, has been inserted in Part Plan dated 21.11.2007 and referred to District Officer (Land-I) and other for necessary action as per rules.

### COMPLAINANT'S REJOINDER

4. In his rejoinder dated 06.09.2008 the complainant denied any such condition in the Minutes of Meeting of the committee duly approved by the City Nazim, CDGK and requested to allow examination of original record and issuance of directives to the MPMO for preparation of fresh part

plan and site plan after deletion of the said condition. Which has never been imposed by the committee or the competent authority.

#### HEARING PROCEEDING

5. Hearings in the matter were held on 12.09.2008 and on 13.09.2008. Both the parties were heard at length. The complainant reiterated and reaffirmed contents of his complaint and rejoinder. Mr. Nadeem Ahmed Siddiqui, Deputy District Officer (Land Management-I) produced the relevant record and furnished Photostat copy of the Minutes of the Meeting held on 28.04.2007, perusal of which revealed that there was no condition either in minutes of meeting or in the recommendations duly approved by City Nazim, CDGK that "any further actions shall be taken as per policy of plots carved from the amenity plots". He admitted that there is no hindrance in transfer of plot in favour of the complainant except condition No. 6, mentioned by MPGO in part plan dated 21.11.2007.

6. Sayed Liaquat Hussain, Additional District Officer (MPGO) CDGK, during the hearing also admitted that there was no such condition either in the minutes of the meeting or in recommendations approved by the City Nazim. However, in his statement dated 13.09.2008, he stated that the plot existed in plan bearing No. PB-36/380 dated 21.11.2007 and requested for legal opinion of the EDO (Law). CDGK regarding relevancy of the C.P.No. 1142/1999 decided by the Hon'ble High court of Sindh, with the instant case.

7. The matter was accordingly taken up with the EDO (Law). CDGK who vide his letter dated 15.09.2008 submitted his opinion stating that facts of the case in C.P. No 1142/1999 are quite different from the case of the complainant and the judgment in aforesaid C.P in no way impose any restriction on transfer of plot in question in favour of purchaser.

#### FINDINGS

7. I have examined the case. The Agency admitted that plot in question was legally allotted by the competent authority in the year 1989 which was the subsequently transferred in favour of other purchasers in the year 1995/96 after completion of codal formalities. Further, plot in question was included in the layout plan of Scheme-36 and its part plan was issued on 21.11.2007 by MPGO, CDGK pursuant to the committee decision dated 28.04.2007. It is noticed that condition No. 6 mentioned in the part plan was without having any lawful authority and contrary to the decision of the committee/City Nazim, CDGK. The said action of the MPGO is without any justification and liable to be rectified. The EDO (Law). CDGK also opined that there is no legal hindrance in transfer of the said plot. Approval of building plan and execution of lease deed.

#### DECISION

8. In view of above and in exercise of powers vested in me U/S 11 of the Establishment of the office of Ombudsman for the Province of Sindh Act 1992, I hereby direct City Nazim, City District Government Karachi, District Coordination Officer and Executive District Officer (MPGO). CDGK to issue fresh part plan/site plan after deletion of condition No.6 in respect of plot No. R-8/1, Block-3A, Gulistan-e-Jauhar, Scheme-36, Karachi. Simultaneously, the District Officer (Land), CDGK is also directed to transfer the said plot in favour of the complainant and forward the building plan for approval subject to completion of other codal formalities as per rules.

9. Compliance should be reported to me within thirty (30) days hereof.

Given under my hand and seal.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 23rd October, 2008



## Special Cases

### DECISION

Complaint No.: POS/243/08/G

Name and address of the complainant: Mr. Waheed Akhter S/o Muhammad Panah Bhatti, R/o A-2, Waqar Housing Society Near Anwar village, Qasimabad, Hyderabad.

Name of the Agency Complained against: Revenue Department, Government of Sindh

Name & Designation of Investigating Officer: Mr. Muhammad Akram Saeed, Director-G

Subject:- ALLEGED NON-APPOINTMENT OF THE COMPLAINANT FOR THE POST OF CLERK AGAINST THE SON QUOTA.

### THE COMPLAINT

Mr. Waheed Akhtar filed a complaint dated 30.01.2008 alleging "inter-alia" his non-appointment against son quota in place of his father who was an assistant (BPS-11) in the Directorate of Settlement Survey and Land Records, Board of Revenue Sindh, Hyderabad and expired during his service on 25.03.1997. He alleged that his case was not finalized despite recommendation of Director of Settlement Survey and Land Record Sindh, Hyderabad to the Senior Member Board of Revenue/ Special Secretary (Revenue), Board of Revenue Sindh, Hyderabad on 12.12.2006. He therefore, sought our intervention in the matter.

### REPORT OF THE AGENCY

2. The Special Secretary Revenue, Board of Revenue Sindh Hyderabad vide letter dated 06.03.2008 reported that Services, General Administration & Coordination Department added the new Rules 10 A and 11-A in the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974, vide notification No. SORI (S&GAD) /2-3/2002, dated 02.09.2002, according to which one of the children of civil servants, who dies during service, would be appointed and the said provision of rules 10-A & 11-A is effective from 02.09.2002.

3. The Agency added that the father of the complainant died on 25.03.1997 hence his request is not covered under the Rules and can not be considered and he was informed accordingly vide letter dated 09.02.2008.

### COMPLAINANT'S REJOINDER

4. The complainant in his rejoinder dated 08.04.2008 contested the report of Agency and added that incorporation of Rule 10-A and 11-A in Sindh Civil Servants (Appointment, Promotion and Transfer) Rules 1974 have effect from the date when the said Rules were made in 1974 and not from date of amendment viz. 02.09.2002 as reported by the Agency. The complainant in his subsequent correspondence dated 11.06.2008 stated that the relevant documents were submitted by him to the Agency on 05.06.2008. He again requested for directives to the Agency for early finalization of his case.

HEARING PROCEEDINGS

5. To sort out the issue, series of hearings were held. The complainant failed to attend the hearings despite notices. However, the Agency was represented by Mr. Hussain Ali Thaheem, (Assistant Chief Inspector of Stamps) Board of Revenue Sindh Hyderabad who during the last hearing held on 27.05.2008 reported that the request of the complainant was not covered under the rules. However, the Chief Minister Sindh had passed instructions in case of one Mr. Muhammad Ali Pathan that denying benefit or recruitment to the applicants whose parents were civil servants and died before 02.09.2002, though they are otherwise eligible for appointment, is against the principle of equity and justice. Therefore, no discrimination on this account shall be made in future and such applicants shall not be deprived of the benefit of the policy on the ground of father/mother having expired prior to policy. Such cases regretted on above ground may be reviewed and resubmitted for orders.

6. He further reported that in compliance with the orders of Chief Minister Sindh dated 03.03.2008, a summary dated 16.06.2008 has been floated to the Chief Minister Sindh soliciting approval for appointment of the complainant against son quota, which is still awaited.

ORDER

7. In view of above, in exercise of powers vested in me U/S 11 of the Establishment of the office of Ombudsman for the Province of Sindh Act 1992, I hereby direct Senior Member Board of Revenue Sindh to dispose off the case of the complainant immediately on receipt of orders on the Summary reportedly floated to the Chief Minister Sindh and intimate the result to this office. A copy of the Decision is also forwarded to the Principle Secretary to Chief Minister Sindh, with the advice to ensure disposal of the summary floated by the Agency in the case of the complainant at the earliest under intimation to me within 30 (thirty) days hereof.

8. Complaint stands disposed off accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 31st October, 2008



## Special Cases

### DECISION

Complaint No.:	POS/171/2006/F
Name and address	Malik Zafar Latif, Prop. M/s. Malik & Company, Flat No. 104, Singapur Centre Off. Tariq Road, Karachi
Name of the Agency Complained against:	City District Government Karachi
Name & Designation of	Mr. Nazir Ahmed Qidwai, Consultant-F
Subject:-	<u>DELAY IN REFUND OF SECURITY DEPOSIT AMOUNTING TO RS. 1,85,000/- DEPOSITED BY THE COMPLAINANT ON ACCOUNT OF CONTRACT OF ENTRY FEE SAFARI PARK.</u>

Mr. Malik Zafar Lateef, Proprietor, Malik & company filed a complaint dated 21.01.2006 stating that City District Government Karachi through an open auction awarded contract of collecting entry fee of Safari Park for the year 2003-2004 to their firm, being the highest bidder. They deposited 10% refundable security amounting to Rs. 1,85,000/-. Despite payment of all installments and completion of contractual period successfully, the concerned authorities of CDGK had not yet refunded the security deposit. They made representations time and again to the District officer, Zoo for release of security deposit but all in vain. He, therefore, requested our intervention in the matter.

2. The District Officer, (ZSA), CDGK in its report dated 24.04.2006 submitted that Mr. Malik Al-laudin was awarded the revenue license to collect Gate Entry Fee at Safari Park for the year 2003-2004 against their highest bid of Rs. 18,52,000/- for the said financial year. 10% security deposit amounting to Rs. 1,85,200/- was obtained from the said licensee as per terms and conditions of the license to safeguard the financial interest of CDGK in case of default/violation of the terms and conditions of the license. The licensee was bound to charge the rates of the ticket as prescribed by the CDGK i.e. Rs. 2/- per adult and Rs. 1/- for the children upto the age of seven years but the licensee violated the existing terms and conditions of the contract by over charging of entry fee. He was, therefore, warned by issuing the show cause notice but no reply was received. Hence the money of security deposit was not released.

3. The complainant in his rejoinder dated 13.05.2006 vehemently denied the allegations of over charging and stated that they could not even think about little overcharging as was alleged. However, the District Officer Zoo for the coverage of his illegal act of detaining their security deposit about 2 years with no reasons made false and unfounded allegation. He further stated that the contract file was in possession of District Officer Zoo, Mr. Muhammad Mansoor Qazi which require to be transferred to District Officer, Safari for refund of their security deposit.

4. The matter was vigorously persuaded with the Agency to trace out the file but due to professional negligence of the officers of Zoo & Safari Department, CDGK matter was hanging on more than two years. During the hearing held on 02.06.2007 the then District Officer, Zoo & Safari Department was asked to produce any documentary evidence to prove violation of terms and conditions of contract as alleged but he failed to submit the same. In an other hearing held on 15.09.2007 District Officer, Safari appeared and submitted that the missing challan of contract were traced out and the case was processed for refund of security deposit.

5. Finally, District Officer, Safari Park, CDD, CDGK submitted a cheque No. FAF 3405054 dated 27.03.2008 of HBL (KMC) Branch amounting to Rs. 1,85,200/- vide covering letter dated 03.05.2008 which was handed over to the complainant on 04.06.2008. He acknowledged the same and submitted a letter of thanks to the Ombudsman Institution for redressal of his grievance.

6. In view of the forgoing, I, in exercise of powers vested in me under Section 11 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991, to hereby, direct the Nazim, City District Government Karachi to hold an enquiry and fix responsibility for undue delay and misplacement of contract file and take appropriate action against the delinquent officers/official and submit compliance report to the undersigned within 45 days.

7. With the above directives, the complaint is disposed of.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 13th August, 2008



## Special Cases

### DECISION

Complaint No.: POS/449/2007/F

Name and address of the complainant: Shaikh Muhammad Younus, Accounts Officer, (Retd) A.G. Sindh, Karachi

Name of the Agency Complained against: Cooperation Department, Government of Sindh

Name & Designation of Investigating Officer: Mr. Nazir Ahmed Qidwai Consultant F

Subject:- UNJUST CANCELLATION OF PLOT OF THE COMPLAINANT BY THE MANAGEMENT OF SINDH GOVERNMENT EMPLOYEES COOPERATIVE HOUSING SOCIETY. INACTION BY THE COOPERATION DEPARTMENT ALSO ALLEGED.

Shaikh Muhammad Younus in his complaint dated 13.02.2007 stated that he was allotted a plot bearing No. 664-A, Block-C measuring 240 Sq. Yards in Sindh Government Employees Cooperative Housing Society, Karachi on 08.10.1985. The society had cancelled the allotment without assigning any reason. In this regard he approached to the Chairman of Society and other concerned authorities of Cooperation Department but failed to get any response. Hence, he solicited our intervention in the matter.

2. The matter was taken up with the Agency. In response, District Officer, Cooperative, City District Government Karachi communicated a copy of letter dated 21.06.2007 issued from the desk of office Secretary, Sindh Government Employees Cooperative Housing Society Limited, there-in stating that allotment of plot No.664-A was cancelled in the year 1989 for non-payment of dues and the same was re-allotted to another member of the society Mr. Hanif Hussain. Shaikh Muhammad Younus submitted an application on 19.04.2004 to the society for restoration of his plot. The managing committee of the society had considered his request and issued him letter for payment of dues worth Rs. 66,245/-. He further reported that at present there was no plot available in the society therefore, the matter be kept pending till the allotment of land by the Government for which the society had already moved their case.

3. A copy of the Agency's report was sent to the complainant for his rejoinder, if any. The complainant in his rejoinder dated 18.07.2007 reiterated his claim for allotment of plot.

4. The matter was constantly followed up. Resultantly, the complainant vide letter dated 14.02.2008 informed that management of the Society had allotted him an alternate plot bearing No. 769-A, Block-B, Sector-IV vide allotment order dated 31.01.2008. He thanked the Provincial Ombudsman for his kind cooperation to redress his grievance and requested to close the case.

5. Thus the complaint stands disposed of as redressed.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 12th March, 2008



## Special Cases

### DECISION

Complaint No.:	POS/1645/2000/B-210
Name and address of the complainant:	S. Imtiaz-ul-Haq Quddusi, Husband of late Sabiha Quddusi, House No CR-35-29/2, Opp. New Shamsi Islamia School No.1, New Martin Road, Karachi
Name of the Agency Complained against:	Education Department
Name & Designation of Investigating Officer:	Syed Qamar Razi Naqvi Consultant
Subject:-	<u>PAYMENT OF RENT OF SHAMSI ISLAMIA GOVT. PRIMARY SCHOOL BUILDING, NEW MARTIN ROAD, KARACHI, FOR THE PERIOD FROM 1ST JUNE 1994 TO 31ST MARCH 2000.</u>

### THE COMPLAINT

Syed Imtiaz-ul-Haq Quddusi, landlord of Shamsi Islamia Govt. Boys Primary School, Karachi, filed a complaint on 22.04.2000 against the Education Department of City District Govt., Karachi. He stated that concerned department has not paid the rent of his premises since 1994 when all his efforts to recover the arrears failed, he sought our intervention in the matter.

### REPORT OF THE AGENCY

2. The complaint was referred to the Agency for parawise comments. The EDO (Education), City District Govt., Karachi, in his letter referred to the Judgment of Hon'ble Supreme Court of Pakistan in civil Petition for Leave to Appeal No.492-K of 2000 that "Proceedings before Provincial Ombudsman relating to eviction and even the direction for payment of arrears of rent were totally misconceived and order passed by him in this regard is void abinitio and of no legal effect." Hence the complaint/petition is not maintainable which, he requested, may kindly be rejected.

### REJOINDER OF THE COMPLAINANT

3. In his rejoinder, the complainant stated that it was the contention of the petitioner and not the judgment of Hon'ble Supreme Court as the date for regular hearing of the referred petition was still to be fixed. The complainant further stated that EDO committed the offence of the contempt of Ombudsman and requested that the contempt proceedings may be initiated by the Ombudsman against the EDO.

### HEARINGS

4. In the hearings the matter was discussed at length. Finally, during the proceedings, the representative of the Education Department advised the complainant to submit the Rent Agreement and other related documents to the EDO (Education), City District Govt. Karachi, who would certainly resolve the matter in the light of the report to be submitted by the Education & Literacy Department.

RESOLUTION OF THE PROBLEM

5. The complainant has confirmed that the payment of rent for the period from 1st June 1994 to 30th June 2007 amounting to Rs. 14,040/- has been received by him from the EDO (Education) City District Govt., Karachi, for which he has expressed thanks to my office for taking interest in such a delayed case.

6. The complaint is disposed of as "redressed"



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 23rd August, 2008



## Special Cases

### DECISION

Complaint No.	POS/54/2007/J-276/
Name and address of the complainant:	Mr. M.S. Patoli, C/12,568/B,Baitul Quresh, Khai Road, Hyderabad-71000
Name of the Agency Complained against:	Information & Archives Department, Government of Sindh
Name & Designation of Investigating Officer:	Mr. Shaukat Ali Shaikh, Advisor
Subject:-	<u>DELAY IN SETTLEMENT OF CASE REGARDING GRANT OF MOVE-OVER TO THE COMPLAINANT, WHO RETIRED FROM SERVICE IN APRIL, 2006.</u>

### THE COMPLAINT

Mr. Muhammad Siddique Patoli, vide his complaint addressed to Chief Secretary, Government of Sindh and copy marked to the Provincial Ombudsman has stated that he retired on 13-04-06. The pension as well as move over case could not be finalized due to certain missing A.C.Rs and counter-signing of A.C.Rs for the year 1997. He has requested the Ombudsman to intervene and direct the authorities concerned to countersign the A.C.Rs so that his pension which is held-up since retirement is released.

### REPORT OF THE AGENCY

2. The complaint was referred to the Information Department for comments. Vide their letter No. SO (INF) 5-M.O/DIRS/98-2004 dated 09-06-2008 Section Officer-I of Information Department has reported that delay has occurred due to non counter signatures of A.C.Rs for the year 1994, 1995 & 1997. The advice of Regulation Wing/Finance Department has been obtained. In the light of the advice as well as the opinion of SGA&CD, the case of Mr. Patoli (complainant) was placed before Departmental Move-Over Committee for consideration of Move-Over from BS-18 to 19 w.e.f. 01-12-1997 by waiving condition/requirement of counter signature of ACRs for the year 1994, 1995 and 1997 as a special case.

### COMPLAINANT'S REJOINDER

3. The copy of the report of the Agency was sent to the complainant for rejoinder. Vide his letter dated 14th April 2008, the complainant has again insisted that his move-over case may be decided expeditiously.

### HEARING PROCEEDINGS

4. In this connection a number of hearings were held which were attended by the complainant Mr. Muhammad Siddique Patoli and representatives of Information Department. During the hearing on 17-09-2008 Section Officer from information Department handed over the following notification.

NOTIFICATION

"No.SOI (INF) 5-M.O/DIRs/98-2004: On the recommendation of Departmental Move-over Committee and with the prior approval of the Competent Authority, Mr. Muhammad Siddique Patoli, former Director Information from BS-18 to 19 is allowed move over with effect from 01-12-1997, as per SGA&C Department's advice bearing U.O. No. SOIII (S&GAD)/13-96/2003, dated 02-09-2008"

DECISION

5. Since he has been allowed Move over from BS-18 to BS-19 w.e.f. 01-12-1997 the complaint stands fully redressed.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 20th November, 2008



## Special Cases

### DECISION

Complaint No.:	POS/04/ROJ-04(P)/2008
Name and address of the complainant:	Mst. Nooran widow of Ghulam Sarwar Waggan, R/o Near Mohtasib Office, Jacobabad.
Name of the Agency complained against:	Police Department, Government of Sindh.
Name & Designation of Investigating Officer:	Mr. Gul Hassan Solangi, Director, Regional Office, Jacobabad.
Subject:-	<u>ALLEGED NON-PAYMENT OF FINANACIAL ASSISTANCE OUT OF BENEVOLENT FUND IN RESPECT OF THE DECEASED HUSBAND OF THE COMPLAINANT</u>

#### Complaint

Mst. Nooran, filed a complaint dated 02.05.2008, regarding the alleged non-payment of dues from Benevolent Fund in respect of her deceased husband who was an employee of Police Department and expired 25 years back. She, therefore, solicited our intervention in the matter to get her due financial assistance, to enable her to arrange her medical treatment and marriage of her daughter.

#### Proceedings

2. After exchange of correspondence, the matter was fixed by the Investigating Officer for hearing the parties on 06.08.2008. The complainant and the representative of the District Police Officer, Jacobabad appeared before him. The latter submitted a report dated 05.08.2008 of the D.P.O. Jacobabad, alongwith a copy of order dated 26.07.2008 for sanction for payment of Rs.2,000/- per month, from Benevolent Fund for the period of ten years with effect from 01.07.2008 to 30.06.2018, in favour of the complainant. A copy of the said letter was handed over to the complainant for her rejoinder. In response, she submitted an application that she had received the reported sanctioned amount of Rs.2,000/- for the month of July 2008, expressed satisfaction with the report of the Agency and requested us therein to close the case.

#### Decision

3. In view of the above, the complaint stands redressed and disposed of accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 9th September, 2008



## Special Cases

### DECISION

Complaint No.:	POS/3629/07/M-76
Name and address of the complainant:	Mst. Bashiran Begum widow of Muhammad Moosa Rajpar, C/o. Muhammad Sohail, Office of E.D.O. (Health), Naushahro Feroze.
Name of the Agency Complained against:	1. Accountant General Sindh, Karachi. 2. District Accounts Officer, Naushahro Feroze.
Name & Designation of Investigating Officer:	Mr. Masood Ishrat, Registrar.
Subject:-	<u>DELAY IN REVISION OF PENSION IN RESPECT OF DECEASED HUSBAND OF THE COMPLAINANT</u>

Mst. Bashiran Begum widow of Muhammad Moosa Rajpar filed complaint dated nil (received on 22.10.2007) stating that her husband retired from government service on 22.01.1999 and expired on 24.04.1999. She approached the Agency for revision of pension but her case has not been finalized despite passage of considerable period of time. She, therefore, requested our intervention in the matter.

### PROCEEDINGS

2. The office of Accountant General Sindh, Karachi vide letter dated 04.02.2008 reported that the case of the complainant has been finalized. However, the sealed authorization was inadvertently forwarded to the District Accounts Officer, Badin, which has been called back and would be forwarded to the concerned District Accounts Officer, Badin, which has been called back and would be forwarded to the concerned District Accounts Officer for making payment in favour of the complainant. Subsequently, the District Accounts officer, Naushahro Feroze vide letter dated 08.05.2008 reported that the difference of pension and gratuity has been paid to the complainant on 18th April, 2008.

3. The complainant in her rejoinder dated nil (received on 03.06.2008) confirmed payment of her dues on 19.04.2008.

4. I have examined the case and observed that the case of the complainant was forwarded to the Agency for payment of difference of gratuity and pension in March 2007. It was finalized and forwarded to the District Accounts Officer, Badin who kept the same for about one year thought, the case did not pertain to him. The Agency called the same back in February 2008 and forwarded the same to District Accounts Officer, Nawabshah instead of District Naushahro Feroze and finally in April 2008 the sealed authorization reached the concerned officer at Naushahro Feroze who made the payment to the complainant on 18.04.2008.

### FINDINGS

5. The above position clearly speaks about the working of the officials/officers of the Agency as none of them had bothered to take pain for proper scrutiny and forwarding the same to the actual destination for making payment to the widow pensioner who was running after the officials of the

Agency for more than one year. Without shadow of any doubt, the negligence in performance of the duties on the part of the officials/officers of the Agency has been proved and therefore, complainant is required to be compensated on account of mental agony and the expenditures incurred to pursue the case.

### DECISION

6. Therefore, I in exercise of powers vested in me under section 11 of Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 hereby direct the Accountant General Sindh, Karachi, to constitute a committee of senior officers for enquiry to fix the responsibility of such negligence and appropriate action under the provisions of Efficiency and Disciplinary Rules against the official (s) held responsible. I also direct the Accountant General Sindh, Karachi, to calculate the amount of interest @ admissible for G.P. Fund, for the withheld amount of dues and pay the same to the widow complainant by recovering from the salary of the official (s) held responsible for such negligence.

7. Compliance should be reported to me within sixty (60) days hereof.

8. A copy of the Decision is also forwarded to the Auditor General of Pakistan, Islamabad for information and further appropriate action.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 22nd July, 2008



## Special Cases

### DECISION

Complaint No.	POS/2548/07/M-58
Name and Address of the complainant:	Mst. Aisha Khatoon Memon widow of A. Ghafoor Memon, R/o. House No. 931/28/, Pir Bakhsh Colony, Dadu.
Name of the Agency complained against:	Accountant General Sindh, Karachi.
Name & Designation of Investigating Officer:	Mr. Masood Ishrat, Registrar.
Subject:-	<u>REQUEST FOR REFIXATION OF PENSION OF THE COMPLAINANT.</u>

### COMPLAINT

Mst. Aisha Khatoon Memon filed complaint dated nil, received on 23.07.2007, stating that she was drawing family pension after death of her husband since February 1998 and that increase in pension for the years 1998 and 1999 was allowed to her on net pension instead of gross pension in contradiction to Finance Department, Government of Sindh's Notifications dated 18.11.1998 and dated 05.10.1999. She, therefore, sought our intervention in the matter.

### REPORTS OF THE AGENCY

2. Accounts Officer, office of Accountant General Sindh, Karachi, vide letter dated 06.12.2007 reported that the matter had been referred to the Finance Department, Government of Sindh for clarification/guideline. The Finance Department, Government of Sindh, Karachi, vide letter dated 26.02.2008, clarified that under section 16 (f) of pay Revisions Rules. 2001 it is provided that in future the increase in pension shall be allowed on net pension instead of gross pension with effect from 01.12.2001 and that the husband of the complainant expired on 05.02.1998 therefore, she is entitled for family pension @ gross pension prior to 01.12.2001.

### REJOINDER

3. Mr. Abdul Sami, father of the complainant, vide letter dated nil, received on 14.04.2008, intimated that the District Accounts Officer, Dadu has revised the family pension of his daughter and requested to issue directives to all the District Accounts Officers of the Sindh Province to allow the increase of pension of the pensioners in view of the clarification of the Finance Department.

### FINDINGS

4. I have examined the case and observed that the increase in pension was being allowed to the pensioners on their net pension though it was required to be granted on gross pensions as the increase on net pension was admissible after 01.12.2001; resultantly hundreds of pensioners of the Province have been deprived of said increase.

DECISION

5. In view of the above, in exercise of powers vested in me under section 11 of the establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, I hereby direct the Accountant General Sindh, Karachi, to issue necessary directives to all the District Accounts Officers of the Province of Sindh to allow increase of pension on gross pension to the pensioners of the Province drawing pension prior to 1st December 2001.

6. Compliance should be reported to me within thirty (30) days hereof.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 25th April, 2008



## Special Cases

### DECISION

Complaint No. : POS/408/2007/B -321

Name and address of the complainant: Mst. Sabeeha Parveen, wd./o. Azharul Islam, R-187/17, F.B. Area, Karachi.

Name of the Agency complained against: Education Department, Government of Sindh

Name & Designation of Investigating Officer: Mr. Masood Ishrat, Registrar

Subject: NON-GRANT OF FINANCIAL ASSISTANCE TO THE COMPLAINANT IN RESPECT OF HER DECEASED HUSBAND.

Mst. Sabeeha Parveen, wd./o. Azharul Islam filed complaint dated 09.02.2007 stating the her husband was lecturer in Government City College, Karachi who passed away on 26.06.2005 and the Finance Department, Government of Sindh wide letter dated 13.06.2005 allowed financial assistance of Rs. 5,00,000/- for his family of the deceased employees but the department concerned being denying the same to her. She, therefore, sought our intervention in the matter.

2. After protracted correspondence the Agency vide letter date 24.03.2008 reported that the payment has been made to the complainant vide cheque dated 13.03.2008.
3. The complainant in her rejoinder dated nil received on 05.04.2008 while confirming payment of the dues extended her gratitude for providing assistance in redressal of her grievance.
4. Though the grievance of complainant stands redressed, yet it is on the part of the Agency to have prolonged a simple matter for 3 years causing pain & misery to a widow. Secretary Education, Government of Sindh, Karachi is directed to enquire into the state of affairs, fix responsibility & take corrective/ punitive measures under intimation to undersigned.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 19th April, 2008



## Special Cases

### DECISION

Complaint No. :	POS/RTT/02/2008
Name and address of the complainant:	Mr. Wali Muhammad Dal and others, Village Raveetoon, P.O. Oonger, District Thatta.
Name of the Agency complained against:	Works & Services Department, Government of Sindh
Name & Designation of Investigating Officer:	Mr. Ahmed Jamal Aijazi Regional Director, Thatta
Subject:	<u>CONSTRUCTION OF UNAUTHORIZED CULVERTS ACCESS THE NEW ROAD UNDER CONSTRUCTION FROM VILLAGE KARIMDINO DARS TO VILLAGE TANDO HAFIZ SHAH, TALUKA &amp; DISTRICT THATTA</u>

Mr. Wali Muhammad Dal and others, filed a complaint dated 09.01.2008 that they owned an agricultural land situated in Deh Tando Hafiz Shah, Taluka & District Thatta, settled under the command of water course 7-R, Ex-Tando Hafiz Shah distributory. They added that some influential owners of the land in neighbouring Deh Lakhi, unauthorizedly cultivated their land admeasuring about 300 acres by stealing irrigation water from the said water course No. 7-R. They added that a road from village Karimdino Dars to village Muhammad Hassan Dal was being constructed by the Executive Engineer, Foreign Aided and Special Projects Division, Hyderabad and pointed out that three culverts (i) Haji Talib Dal – Haji Ismail Dal (ii) Mohammad Hussain Dal – Peerano Dal and (iii) Haji Saleh Mohammad Dal – Haji Baboo Dal were being provided in the said road which will facilitate their opponents (khatedars) holding land in Deh Lakhi to take/steal irrigation water from water course No. 7R easily, though the said culverts have been declared unauthorized by the Assistant Executive Engineer, Irrigation Jherruck Sub-Division at Kotri. They therefore, solicited our intervention in the matter.

2. After preliminary correspondence, the Executive Engineer, Foreign Aided & Special Projects Division, Hyderabad, informed vide his letter dated 02.02.2008 that the concerned Assistant Executive Engineer, Irrigation & Power Department, had already clarified that some culverts along the said road alignment were unauthorized, hence his office would take action accordingly. Later, the Section Officer (Highways) Works & Services Department, Government of Sindh, Karachi, also forwarded a copy of letter dated 22.02.2008 of the Chief Engineer/Project Director (FA&SP), Hyderabad, along with his letter dated 19.03.2008 and it was assured in the letter dated 22.02.2008 that the culverts pointed out by the complainants will not be constructed as being declared unauthorized by the Irrigation Department. A copy of the above said report dated 02.02.2008 of the Agency was sent to the complainants vide letter dated 07.02.2008, for their rejoinder if any. In response, they informed vide their rejoinder dated 03.03.2008 that the work had been stopped in respect of the said culverts, as a result of process of investigation by this institution into their complaint. Mr. Wali Muhammad (main complainant) also confirmed stoppage of the work in regard with the disputed culverts vide his letter dated 10.04.2008.

3. In view of the above, the complaint stands redressed and disposed off accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 17th April, 2008



## Special Cases

### DECISION

Complaint No. : POS/1058/RL-151(S)/2007

Name and address of the complainant: Mr. Muhammad Usman Massan,  
C/o Nabi Bux Karyana Shopkeeper, Gaji Khuahar  
Road, Naseerabad, Kamber,

Name of the Agency complained against: Police Department, Government of Sindh.

Name & Designation of Investigating Officer: Mr. Gul Hassan Solangi,  
Director, Regional Office, Larkana

Subject: COMPLAINT REGARDING NON-REGISTRATION OF F.I.R

#### Complaint

Mr. Muhammad Usman Massan, stated in his complaint dated nil (received on 30.03.2007) that Ghulam Hyder Massan and others allegedly took away 320 monds viz 11840 Kgs of rice forcibly from his land. He approached the S.H.O Police Station, Nasirabad, for registration of F.I.R who issued threats and got him out of the police station through his police staff instead of registration of his report. The complainant further stated that he also submitted applications to the S.S.P and Taluka Police Officer, District Larkana, and the other higher authorities but no justice was done to him. He, therefore, solicited our intervention in the matter.

#### Proceedings

2. The District Police Officer Kamber-Shahdadkot, submitted report vide letter dated 19.06.2007 that the matter was entrusted to Taluka Police Officer, Nasirabad, who got the matter enquired through the S.H.O Police Station, Nasirabad. The latter referred the matter to the Mukhtiar Kar (Revenue), Nasirabad, for verification, who reported after verification of revenue record that the disputed land belonged to one Syed Safdar Ali Shah and the opponents (Ghulam Hyder and others) who allegedly took away rice were cultivating the land in question were depositing its produce with the owner of land hence no theft of rice of the complainant had been occurred by his opponents. The Supervisory Police Officer, Mirwah, Abdullah Lakhair (the then S.H.O Police Station, Nasirabad) reported vide his letter dated 14.01.2008 (submitted on 15.01.2008 fixed by the Investigating Officer for hearing) that the complainant and his opponents were on disputed terms over landed property. Both the parties approached the police for registration of false cases on refusal to do so the complainant made such complaints to press the police for getting undue favour.

#### Findings

3. According to law, an officer incharge of a police station is required to register a case, as per procedure laid down u/s 154 Cr. PC, in the matter relating to the commission of a cognizable offence when information about it is given to him. The question whether the information/complaint was correct or incorrect depends on the investigation subsequent to the registration of F.I.R. I find in the present case the concerned police officials not only started investigation into the matter for verification of title to the land but even arrived at conclusion that no alleged theft of rice of the complainant had taken place (as evident from the report dated 19.06.2007 of the Agency discussed in the preceding para) without registration of F.I.R. Non-registration of F.I.R.s on such grounds is one of the many factors responsible for poor performance of the police.

Decision

4. In view of the above, I hereby direct the Regional Police Officer, Sukkur to ensure that the S.H.O. Police Station, Nasirabad, should register F.I.R. of the complainant in his appearance before him with information relating to the commission of a cognizable offence. I further direct the Regional, Police Officer, Sukkur, to initiate enquiry and take exemplary action against the concerned police officials, under the relevant law/rules for their deviation from the established legal procedure laid down for registration of F.I.R., under intimation to me inside a period of 30 days.

Given under my hand & seal.....



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 22nd August, 2008



## Special Cases

### DECISION

Complaint No.: POS/ROS/N-529/2005

Name and address of the complainant: Mr. Taj Mohammad Langah and Mr. Khalilullah Memon, R/o. The hri, District Khairpur.

Name of the Agency Complained against: Revenue Department, Government of Sindh.

Name & Designation of Investigating Officer: Miss. Samina Mangi, Director, Regional Office, Sukkur

Subject:- ALLEGED INACTION AS PER ORDER DATED 06.10.2005 PASSED BY THE DEPUTY DISTRICT OFFICER (REVENUE) KHAIRPUR FOR CANCELLATION OF FRAUDULENT ENTRY IN RESPECT OF AGRICULTURE LAND ETC.

Mr. Taj Mohammad Langah and Mr. Khalilullah Memon, stated in their complaint dated 26.12.2005 that the agricultural land comprising S.Nos. 190 & others measuring 25-0 acres situated in Deh Jhalooji, Taluka & District Khairpur, was purchased by three partners viz Taj Muhammad (40 paisa share), Amanullah (brother of Khalilullah Memon one of the two complainants (40 paisa share) and Mumtaz Ali (20 paisa share). However, the third partner holding share of twenty paisa allegedly got the said entire land mutated in his name in connivance with the Mukhtiarkar (Revenue) Khairpur, and Tapedar of the beat. The deputy District Officer (Revenue) Khairpur passed an order dated 06.10.2005 on their revenue appeal for cancellation of the entry made in the name of the one partner only, in respect of the said land. It was also contemplated in the said order that the District Officer (Revenue) Khairpur, was being requested for initiating disciplinary proceedings against the Munshi / Tapedar held responsible for committing fraud and tampering the record of Rights. However, they alleged that no action was taken in pursuance of the said order. They, therefore, solicited our intervention in the matter.

2. After protracted correspondence, the matter was finally fixed by the Investigating Officer for hearing the parties on 16.06.2007. Mr. Taj Mohammad Langah one of the two complainants appeared and submitted an application of the date duly signed by both the complainants that the entry of their names has been restored in respect of the disputed land in the Record of Rights. They added that the matter was settled amicably and requested us therein to close the case. He also submitted a separate letter of thanks of the same date.

3. The District Officer (Revenue) Khairpur, has imposed minor penalty upon the concerned Tapedar, for stoppage of his two Annual Increments vide his order No.Estt/4056 dated 11.09.2007.

4. In view of the above, the complaint stands redressed and disposed of accordingly.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 3rd March, 2008



## Special Cases

### DECISION

Complaint No.:	POS/2981/03/B112
Name and address of the complainant	Mr. Saeed Ahmad Arrain, Joint Secretary, Metroville Social Welfare Association, D-29, Block-4, Metrovill, S.I.T.E, Karachi.
Name & Designation of Investigating Officer	Mr. Masood Ishrat, Registrar.
Subject:-	<u>REQUEST FOR REMOVAL OF ENCROACHMENT FROM ROAD, ETC.</u>

Mr. Saeed Ahmed Arrain, Joint Secretary, Metroville Social Welfare Association, Karachi, filed complaint dated 30.05.2003 stating that a girls college was being constructed along the plot No F-372, S.I.T.E and adjacent to this plot there was a path for the college. He alleged that the owner of the plot in connivance with the officials of the Agency got permission for green belt and instead of that started construction of shops and closed the path for which authorities were approached but no action was taken. He, therefore, requested our intervention in the matter.

### PROCEEDINGS

2. The Agency vide letter dated 29.04.2004 reported that the plot No. F/372 is located on boundary of Metroville Housing Project and a 20 feet wide strip was left between the said plot and Metroville Housing Project for construction of Nallah / drain. The Agency further reported that the owner applied for allotment of land but instead of allotment he was allowed to develop a green belt on this land in the year 2000, however, subsequently, after leaving sufficient space for c.c drain, the remaining land was allotted to M/s. Pir Muhammad, on completion of codal formalities.

3. Malik Muhammad Sajjad, General Secretary of the Association contested the report of the Agency by stating that in the layout plan of the Agency the disputed area has been shown as path, which was unlawfully allotted to the owner of plot No. F-372 and if such allotment allowed to the owner of plot No.F-376 (on the western side) the path to the girls college will be closed. He, therefore, requested for cancellation of the said allotment and demolition of shops constructed by the owner of plot No.F-372.

4. To thrash out the issue, series of hearings were conducted by the various Investigating Officers and site inspection was also carried out by Regional Director, Karachi Central, in presence of the complainant and representatives of the Agency. During the hearings the complainant reiterated his earlier grievance whereas according to the representatives of the Agency. The Managing Director, SITE is empowered to allot/regularize the area upto 0.25 acres on merits and keeping in view of the ground realities it was decided that the space of 6 feet is sufficient for the drainage system the remaining 14 feet area of 0.10 acres (505.5 square yards) was allotted to the owner of plot No.F-372 on payment of prescribed fee/charges.

5. Mr Muhammad Arshad s/o Pir Muhammad Khan, owner of plot No.F-372 also joined the proceedings and vide his letter dated 23.09.2006 stated that the extension of the plot was allowed after completion of formalities and payment of required fee. He alleged that due to non-payment of

illegal donation, the members of the association started making false complaints against them and the site authorities.

### FINDINGS

6. I have examined the position and observed that the concerned authorities of Sindh Industrial Trading Estate Limited Karachi with their malafide intention first allotted the land reserved for road / drain, by reducing the width of road from 20 feet to 06 feet, to develop a green belt for beautification purpose along the boundary wall of plot No.F-372. However, later-on allotted the same 14' x 325' wide strip of land for extension of the industrial plot. The site inspection carried out by the Regional Director, Karachi, Central, also revealed that the allottee has raised Reinforced Cement Concrete structure on the allotted additional land. No doubt that the Managing Director, SITE is empowered to allot land upto 0.25 acres but in fact he is not competent to allot the land reserved for amenities viz road/drain. etc. Thus, it is established that the Managing Director, SITE misused his powers while allotting the land in question to the owner of plot No.F-372.

### DECISION

7. In view of the above, in exercise of powers vested in me u/s. 11 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991. I hereby direct the Managing Director, SITE to cancel the lease of the additional land meant for road allotted in favour of the owner of plot No.F-372. SITE, Karachi, demolish the construction raised by the owner illegally and restore the original status of the land as approved plan. The Managing Director, SITE, Karachi, is also directed to ensure that, in future, the land pertaining to amenity purposes should not be allotted for any other purpose. A copy of the Decision is forwarded to the Chief Secretary, Government of Sindh, Karachi, with the directives to constitute a committee of at-least three senior officers to enquire the matter, fix the responsibility and take strict disciplinary action against the officer held primarily responsible for illegal allotment of land.

8. The compliance should be reported to me within ninety (90) days hereof.



Sd/-  
(ASAD ASHRAF MALIK)  
PPM; PSP  
Ombudsman Sindh  
Karachi, dated 23rd August, 2008

## Letters of Thanks

XXXXXXX  
865945

# K. S. Engineering Service

APPROVED Govt: CONTRACTOR

Your's Ref: *POS/3267/06/C dt-11/2007 & 23/2008*  
Our Ref : \_\_\_\_\_

Plot No: 19/C-Block-A  
Cell No: 8 Latifabad  
XXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXX  
DATE: *01/02/2008*

To

The Director General,  
(A&C) Advisor-C/  
Provincial Ombudsman (Mohtasib) Sindh,  
Karachi.



Subject: PAYMENT OF DUES FOR THE SCHEME CONSTRUCTION OF  
SINHORI MINOR EX-UPPER NARA CANAL RD-565 L/SIDE.

This is to inform you that the payment has been received through  
Cheque No. A31475/ A786865 dated 24/09/2007 for Rs. 496008/= from XEN Thar  
Division Mirpurkhas by your gracious and kind help.

We are very thankful to you.

*Syed Shamsad Ali*  
SYED SHAMSHAD ALI  
M/S K.S. Engineering

## Letters of Thanks

# Amirali Charania

Factory: plot No.A-6 Ibrahim hydri korangi creek Karachi  
Telephone No: 5443673



Mr. Muhammad Akram Saeed  
Director -G  
Provincial Mohtasib  
Sindh Karachi

Subject: Delay For Issuance of Challan for Payment of Ground Rent

Ref: CASE NO: POS/5235/05/C/104

Kindly refer to your letter under reference No: /5235/c-104 dated: 29-1-2008  
Addres to Executive District Officer (Revenue) City District Govt. Karachi  
and copy endorsed to us.

Sir, I already informed to your honour vide my letter date: 5-1-07 (copy  
enclosed) that I have received original paid Ground rent Challan from  
Agency from 1-7-05 to 30-6-07

Sir, I once again thank you very much for your efforts & Co-operation.

Thanking you

Sincerely yours,

Amirali Charania

## Letters of Thanks

بخدمت جناب نظیر احمد قدوالی صاحب  
کونسلینٹ  
صوبائی محتسب سندھ کراچی



السلام علیکم :- مرکز بحالی معذور اطفال لیاری زیر انتظام سٹی گورنمنٹ کراچی کے خصوصی بچوں کی آمدورفت کے حوالے سے نئی گاڑی سوزوکی A/C (وین) پچھلے دو برس میں 2005ء سے سابق اسٹیٹ ڈائریکٹر سماجی بہبود کے قبضہ میں تھا۔ سابق مینجنگ کمیٹی کے اراکین سے مشاورت کر کے ان دو مسائل حل طلب کے لئے صوبائی محتسب اعلیٰ سندھ کو ماہ اپریل 2007ء درخواست دینے کا فیصلہ کیا۔

جناب والا :- اب مذکورہ گاڑی موجود اسٹیٹ ڈائریکٹر سماجی بہبود جناب عبدالناہس بلوچ کو مجھے ڈرائیور کے مرکز کے حوالے مل چکی ہیں۔ جو معذور بچوں کی آمدورفت کے لئے استعمال میں جاری ہیں۔

جناب عالی :- سابق سٹی ناظم کراچی نے 2005ء میں مرکز کے لئے جو ایک لاکھ روپے Rs. 1000000 گرانٹ برائے آرٹیکل سامان کی خریداری کے حوالے سے چیک دیا گیا تھا۔ E.D.O. کمیونٹی ڈیولپمنٹ گورنمنٹ کراچی کے جانب سے آرٹیکل سامان کی خریداری کر کے مرکز کے اسٹیٹ ڈائریکٹر کے حوالے کیا گیا ہے۔

جناب عالی :- آپ جناب کے تعاون و کوشش سے یہ ہمارے دو مسائل بخوبی حل ہو چکے ہیں۔ جس کی ہم بے حد شکریہ ادا کرتے ہیں۔ اور لیاری کے عوام کی جانب سے شکریہ قبول فرمائیں۔ اور ہم امید کرتے ہیں۔ کہ آئندہ بھی مرکز کی جانب سے کوئی مثبت مسئلہ درپیش ہو۔ تو آپ جناب ضرور تعاون کرتے رہیں گے۔ آپ کا دعا گو۔

Case No. POS/2657/F.

23-04-2008.

عبدالمجید منڈی  
سابق فنانشل سیکرٹری مینجنگ کمیٹی  
R.C.M.H.C. Lyari TOWN

27/10

حضرت ازل عالم محی الامم صاحب  
محبوب اعلیٰ سنہ ۱۰۸۰

میرا معاملہ عند تقریباً کی سال سے ہو رہا تھا۔ میرا نام آغا  
 محمد تھا۔ میرا معاملہ حل نہیں ہو رہا تھا۔ 2005ء میں میرے  
 دوستوں نے انتقال کے بعد میرے کچھ گھرانے والے میرا معاملہ  
 میرے بہت پریشان کیا۔ میرا نام کس کو میرا معاملہ حل  
 کیا اور مجھے بڑے مرض ہوئی کہ میرا معاملہ کی سال سے حل نہیں  
 ہو رہا تھا۔ وہ تقریباً دو ماہ میں آیا کہ حل کر دیا۔ اور  
 میرا بھی آپ کو بہت دعا میں یاد رکھتا ہوں۔ اور شکر ادا  
 کرتا ہوں کہ ہم جیسے بے شمار دوستوں کی آپ کی عزت و  
 خدمت کو دیکھیں۔ خدا آپ کو رحمت و کرم سے نوازے۔  
 مگر آپ ہم جیسے لوگوں کی دعا کرتے رہیں۔

Sharma Patel  
4/2 Arif AC

Shel 27/10

## Letters of Thanks



28<sup>th</sup> January, 2009

The Director,  
Provincial Ombudsman (Mohtasib) Sindh  
Regional Office Karachi, East.

Subject: Final Payment Through Cheque by A.G Sindh, Karachi.

Dear Sir,

It is to inform you that in compliance to the Decision of Ombudsman Sindh dated: 16-10-08 against the complaint No. POS/3694/07-E and the Government of Sindh Finance Department letter No. FD/(SR-III)II/12-2008 dated 04<sup>th</sup> December 08, the A.G Office has made the final payment amounting Rs. 394,975/- through Cheque No. 0332123 dated 19-01-09.

I am thankful to the Ombudsman Sindh and his Director for providing justice in the case.

With best regards,

Sincerely yours,

Dr. Abdul Samad Khan  
Retired Professor  
B-82, Block-10, Gulshan-e-Iqbal  
Karachi-75300.

For Information: \_\_\_\_\_  
Ombudsman through PS to POS

## Letters of Thanks

To.

Mr. Amir Ali Shah,  
Director General Provincial Ombudsman Sindh,  
Karachi.


Subject:- **RELEASE OF FUNDS OF RS: 89,220/0 FOR CLEARANCE OF  
LIABILITIES OF M/S AMBRINA TRADERS (PROP: SYED  
RAFIQUE AHMED SHAH) GOVERNMENT CONTRACTOR.**

Respected sir,

It gives me much pleasure to inform your good self that, in pursuance of your kind orders, payment of my outstanding dues has been made by the Executive Engineer, Ghotki Tube Wells Division Ghotki and I have received the cheque amounting to Rs: 83,687/- (after deduction of income tax etc) on 11.03.2008. Sir, all this happened just because of your active intervention in my case, otherwise I had lost my altogether hopes.

Kindly accept my inner most thanks from me and my family to redress my problem. May God almighty bless upon you and save you from any un-eventuality or any un-toward situation for ever.

Thanks.

  
(SYED RAFIQUE AHMED SHAH)  
FOR AMBRINA TRADERS  
C-15/232 Khai Riad, Hyderabad.  
**Amberina Traders**  
*Hyderabad (Sindh).*

## Letters of Thanks



بخدمت جناب شوکت علی شیخ صاحب  
ایڈوائزر راجہ صوبائی تختہ اعلیٰ سندھ  
کراچی۔

انس مضمون۔ مونس اسکوائر بلاک 6 گلشن اقبال راجہ سندھ روڈ کراچی پر لگا ہوا غیر قانونی خطرناک سائین بورڈ آپ کے حکم سے لوکل ٹیکس ریویو گروپ ٹی ڈسٹرکٹ گونمنٹ کراچی نے مکمل ہٹا دیا ہے

گزارش ہے کہ الحمد للہ آپ کے حکم سے مورخہ 3 جون 2007 بروز اتوار مونس اسکوائر پر لگا ہوا غیر قانونی خطرناک سائین بورڈ ہٹا دیا ہے اور اس کا ٹیکس میٹریل لوہے کی بھاری ٹینیں۔ پائپ۔ انگل آئرن وغیرہ تمام سامان بھیت سے اتار کر لوکل ٹیکس ریویو گروپ ٹی ڈسٹرکٹ گونمنٹ کراچی میں اپنی تحویل میں لے لیا ہے۔

ہم خست شرمند ہیں کہ لوکل ٹیکس ریویو گروپ ٹی ڈسٹرکٹ گونمنٹ کراچی کے نمائندوں اور اسٹاف کے ساتھ یہاں کے خود ساختہ یونین کے صدر شیخ محمد یونس اور فاروق حسن نے اس سرکاری کام میں مداخلت کی اور اس کام کو روکوانے کی سرگوزد کوشش کیں آخر میں سامان پھوڑ جانے کی حد کی ٹین لوکل ٹیکس ریویو گروپ ٹی ڈسٹرکٹ گونمنٹ کراچی کے منتے نے بہت اس طریقے سے دھونس اور دھمکی کی پرواہ نہ کرتے ہوئے اپنے فرائض کو بخوبی پایا تکمیل تک پہنچایا اگر یہ کام کسی بھی وجہ سے روک جاتا تو آنے والے مونس سون کی طوفانی اور خطرناک تیز ہواؤں اور بارشوں میں اس کے پانچویں منزلے کے نیچے گرنے سے جو جانی و مالی نقصان ہوتا اس کا اندازہ نہیں لگایا جاسکتا تھا آپ کے بروقت فیصلے سے ایک بہت بڑا خطرہ مونس اسکوائر پر سے دور رہ سکتا تھا۔

میں اپنی اور اہل مونس اسکوائر کی طرف سے آپ کا بے حد ممنون و مشکور ہوں کہ آپ نے اس خطرناک بورڈ کو ہٹا کر ہماری اور کئی زندگی بچائی۔ اللہ آپ کو اس کا اجر عظیم عطا فرمائے۔

ایمن

آپ کا خادم

شیخ محمد اقبال راجہ  
فلیٹ نمبر 20-A مونس اسکوائر

بلاک 6 گلشن اقبال کراچی

فون نمبر 0345-2397440



P-3- CCM-3

احکامات پر عملدرآمد میں تاخیر کر نیوالے انھمکوں  
کے خلاف تادیبی کارروائی کی جائے، محنتب سندھ  
کراچی (اسٹاف رپورٹر) ہمیں بہتر طرز حکومت کے  
قیام کی راہیں ہموار کرنی چاہئیں تاکہ انتظامیہ میں حاکمانہ  
انذار کی بجائے عوام دوستی کے جذبات پیدا ہوں۔ یہ بات  
محنتب سندھ اسد اشراف ملک نے سندھ سے آئے ہوئے دس  
دھاتر کے رجنل ڈائریکٹرز کی دوامی جائزہ کمیٹی میں کہی۔ کمیٹی  
میں رجنل ڈائریکٹروں نے اپنے علاقے میں عیش آنے  
والے مسائل اور متعلقہ انھمکوں کے ردیوں سے محنتب سندھ کو  
آگاہ کیا۔ محنتب سندھ نے ہدایت کی کہ جو سو بائی حلقے محنتب  
کے احکامات پر عملدرآمد میں تاخیر کرتے ہیں ان کے خلاف  
تادیبی کارروائی کی جائے۔ محنتب سندھ اسد اشراف ملک نے  
کہا کہ تمام رجنل ڈائریکٹرز اپنے علاقے میں ہفتے میں ایک  
دن مکملی پکھری ضرور کریں اور معائنہ کو ترجیح دے کر تفتیشی  
رپورٹ بنائیں جس کے ساتھ شہادی دستاویز اگر ہیں تو ان کا  
بھی حوالہ دیا جائے۔ کمیٹی سے اشفاق مین، سیکرٹری ادارہ  
محنتب سندھ اور ڈائریکٹر جنرل سید ابراہیم علی شاہ، مشتاق مین،  
ڈائریکٹر عملی پیشہ نے بھی تہوار پیش کیں۔



**کراچی میں**  
**خود اضااف**

**صوبائی محتسب نے سیکرٹری ٹرانسپورٹ ریکارڈ طلب کر لیا**

پتہ وصولی کے تحتوں میں اضافہ کے لئے خود اضااف کے لئے درخواستیں جمع کروانے کے لئے سیکرٹری ٹرانسپورٹ ریکارڈ طلب کر لیا۔

پتہ وصولی کے تحتوں میں اضافہ کے لئے خود اضااف کے لئے درخواستیں جمع کروانے کے لئے سیکرٹری ٹرانسپورٹ ریکارڈ طلب کر لیا۔

**The News** International, Tuesday, March 11, 2008

p. 14. CCM-2

## Sindh ombudsman's exhortation to IOs

Karachi

The Ombudsman, Sindh, Asad Ashraf Malik, has said that the institution of the ombudsman is there to serve the people.

He said this while presiding over a meeting of all regional directors and investigation officers of the secretariat, on Monday.

He said that the attitude of the investigation officers (IOs)

should be people-friendly and stressed the need for contacting the complainants before closing a case on non-prosecution.

He asked the investigation officers to follow up implementation of decisions. Proper redressal of grievances can boost the confidence of the complainants, he added.

The ombudsman asked the regional directors to hold

"Katchehries" at the district and Taluka levels to increase awareness of the institution of the ombudsman among the masses.

He said a specialised legal cell to ascertain the legality of a complaint and an implementation cell to follow up the proceedings on a decision would soon be established to enhance efficacy of the institute.

Asad Ashraf Malik said that the institution had been assigned the mission of protecting the rights and interests of all the citizens against misadministration by the authorities and fostering good public administration.

Therefore, it should aspire to become an institution that listens to the people and serves them.—PPI



**محاسب اعليٰ طرفان پيشن ادايگين ۾ دير بابت جاچ لاءِ ڪميٽي جو حڪم**  
 اڪائونٽنٽ جنرل کي ادايگين ۾ دير ڪندڙ عملي جي نشاندهي ڪرڻ جي هدايت  
**محاسب اعليٰ بيواه بيشران بيمگر جي شڪايت تي پيشن ادايگين ۾ دير جو نوٽيس ورتو**  
 ڪراچي (پ ر) سنڌ جي محاسب اعليٰ سنڌ  
 اسد اشرف ملڪ اڪائونٽنٽ جنرل کي هدايت  
 عملي جي / ذمو صفحو 6 بقايا 18

**بقايا 18**  
 نشاندهي، لاءِ جاچ ڪميٽي قائم ڪئي وڃي.  
 ڪميٽي اهو به واضح ڪري پيڪنگ مائپور رلائڻ ۾  
 ڪهڙو مسئلو ملوث آهي ۽ جي بي فنڊ جي سالياني  
 شرح جي حساب سان سنڌن پيڪنگ مان فيرواري مدي  
 جي ڪٽوٽي ڪئي وڃي. محمد موسيٰ راجپر جي  
 بيواه بيشران بيمگر شڪايت ڪئي تہ 2 جنوري  
 1999ع تي سندس مؤس پيشن تي رٽائرڊ ۽ پيش  
 مهينن بعد هو گذاري ويو. قانون موجب بيواه پيشن  
 لاءِ درخواست ڪئي جنهن تي کيس اڃا تائين رٽائرڊ  
 پيو وڃي. محاسب اعليٰ سنڌ جي مداخلت تي  
 درخواست گذار کي پيشن ملي پر صوبائي محاسب  
 اڃا جي سنڌ کي حڪم ڏنو تہ پيشن جي رقم تي 9  
 سالن جو نفعو به ادا ڪيو وڃي ۽ ان جي رپورٽ 60  
 ڏينهن اندر کيس پيش ڪئي وڃي.

روزنامہ ”آج کل“ ڪراچي جمعہ المبارک ۲۸ اگست 2008ء

## پنشن میں تاخير: اے جی کو ذمہ داروں کے تعین کا حکم

ڪراچي: محاسب اعليٰ سندھ اسد اشرف ملڪ نے اڪائونٽنٽ جنرل کي هدايت ڪئي ته جيڪڏهن افسران پر مشتمل حقيقي ڪميٽي بناي ته جيئن جي ادايگي جي تاخير کي ذمہ داري اور نقلت برتنے والوں کي نشاندهي ڪرے تاکہ متاثرہ فرد کے ساتھ نارہ اسلوگ پر جي بي فنڊ کي سالانہ شرح سے برجانہ ذمہ داروں کي ڏکوار سے وصول ڪيا جاسے۔ بيشران بيمگر بيواه موسيٰ راجپر نے محاسب سندھ کي شڪايت ڪئي ته 2 جنوري 1999 کو اس کا شوهر پيشن کے استحقاق کے ساتھ ملازمت سے رٽائر ہو گیا تھا جس کا 4 ماہ بعد انتقال ہو گیا۔ قانون کے مطابق بيواه نے متعلقہ محکمے سے پيشن پر نظر ڪرائي

ڪي درخواست کي جي جس پر تاخير تاخير سے ڪام ليا جاتا رهي۔ درخواست پر محاسب سندھ نے مسودہ شرت رٽائرڊ ڪوٺيڻي افسر مقرر ڪيا محکمے نے سال رواں کي 4 فرد جي ڪوٺيڻي کي ادايگي کي اطلاع ڏي جس کي تعديلي ڪايت گزار 19 اپريل کي ڪري۔ محاسب سندھ نے تقريباً نو سالن کي پيشن کي ادايگي جي ڪوٺيڻي ڪرڻ کي اس کے پيشاني ٻولي اور رقم پر سالانہ متعلق حاصل ٿيڻ ڪرڻ اس کے پيش نظر اڪائونٽنٽ جنرل سندھ کي سمجھ ڏيڻے ڪيا جے کہ پيشن کے ساتھ برجانے کي رقم کي ادايگي سے متعلق 60 دن کے اندر رپورٽ ڏني جاسے۔ (اطلافي رپورٽر)

## صوبائي محاسب نے علي اکبر شاه گوٹھ میں منشیات و جسم فروشی کا نوٹس لے لیا

ڪراچي (پ ر) صوبائي محاسب نے پاسان بيلپ لائن کي درخواست پر علي اکبر شاه گوٹھ میں منشیات و جسم فروشی کے واقعات کا نوٹس ليکھي سي بي او ڪراچي کي فوري ڪارروائي کي هدايت ڪري ڏي ٿي۔ تنصیبات کے مطابق پاسان ڪراچي کے صدر سيد اشرف حسين اور لائين مي ٽائون کے صدر نعیم شيخ نے صوبائي محاسب کو آگاه ڪيا تھاکہ ابراہيم حيدري تھانہ کي حدود میں علي اکبر شاه گوٹھ میں جسم فروشی کے اڏوں بھلاف ڪارروائي ڪيلے انچارج تھانہ ابراہيم حيدري سميت پوليس و ديگر اعليٰ حڪام کو تحريري طور پر درخواست ڏي تھي جس پر کوئي ڪارروائي ٿيڻ کي چئي۔ صوبائي محاسب نے پاسان کي درخواست پر ابراہيم حيدري تھانہ کي حدود علي اکبر شاه گوٹھ میں منشیات و جسم فروشی کے اڏوں بھلاف نوٹس ليکھي سي بي او ڪراچي کي فوري ڪارروائي کي هدايت ڪري ڏي ٿي۔

## Press Clippings



روزنامہ نوائے وقت کراچی (2) 16 اگست 2008ء

### کراچی میں غیر متعلقہ افسر کی ریکارڈ کے بغیر آمد پر مختب عدالت کا اظہار برہی

ٹرانسپورٹ سروس کا سر دے کر آنے کی تجویز سے اتفاق آئندہ ساعت 23 اگست کو ہوگی۔  
جھگڑے ہوئے ٹرانسپورٹرز کی جانب سے عوام کو کوئی سہولت فراہم نہیں کی جارہی، عوام سبھی بسوں کو روک رہے ہیں، مجوزہ آمد کی طرف سے جیڑ کی درخواست کی حمایت کے ساتھ یہ ٹیکسٹری ٹرانسپورٹ سندھ کی طرف سے غیر متعلقہ افسر کو ریکارڈ کے بغیر بھیج دینے اور جڑ میں انٹو سے ہٹ کر جواب دہ کر دینا اور یہ بھی کا اظہار کرتے ہوئے اس کا سخت نوٹس لیا ہے۔ موہانی مختب سندھ کی حکومت پر اس معاملے پر عوام کے متعلقہ کے اتفاق کیا ہے۔ آئندہ ساعت سروس کے سر دے کر آنے کی تجویز سے اتفاق کیا ہے۔ آئندہ ساعت کی ہرج 23 اگست مقرر کی گئی ہے۔ موہانی مختب عدالت کے ایگزیکٹو جرنل اسامہ احمد عارف کے رو بہ پاسن کراچی کے جرنل ٹیکسٹری مین مسٹر ہاشم علیک لٹوڑ کیس کے

ایگزیکٹو ہر جرنل اور پاسن پر پش عقد میں کے اصرار میں اس کی موجودگی۔ ڈسٹرکٹ رجسٹر ٹرانسپورٹ افسر کی کے ٹیکسٹری مین مختب عدالت کے رو بہ حاضر ہوئے۔ خود اذنی کر کے وصول کرنے کے باعث لڑائی



(۱۰) روزنامہ امت کراچی ۲۵ دسمبر ۲۰۰۸ء

### صوبائی مختب نے تعمیر کراچی پروگرام کے التوا کا نوٹس لے لیا شہری حکومت سے رپورٹ طلب۔ بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے

کراچی (کا) پرازم پروگرام کی صورت کی عدم دستیابی کے باعث تعمیر کراچی پروگرام کا پرمیٹو بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔ شہری حکومت سے رپورٹ طلب۔ بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔ شہری حکومت سے رپورٹ طلب۔ بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔

کراچی (کا) پرازم پروگرام کی صورت کی عدم دستیابی کے باعث تعمیر کراچی پروگرام کا پرمیٹو بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔ شہری حکومت سے رپورٹ طلب۔ بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔ شہری حکومت سے رپورٹ طلب۔ بنارس تا گرم چشہ رو کی تعمیر پر بلا منسوب ہے۔



### بارقومی اثاثو آہن، سندن سنپال فرض آہی: محتسب سندھ

محتسب جی اداری و ہارن جی شکایتن جو خصوصی شعبو قائر کریون پیا: اسد اشرف ملک

#### "ہارن لام محتسب" رتا بابت جان دین لاء یونیسف وفد جی محتسب سندھ سان ملاقات

کراچی (پ۔) بارقومی اثاثو آہن، سندن سنپال فرض آہی: محتسب سندھ اسد اشرف ملک۔ یونیسف جی وفد سان ملاقات و چشہ وفد واکٹر جبین فاطمہ مسز رفعت سرفلر چائلڈ پروٹیکشن آفیسرز یونیسف و مسز نشا سن سن ٹی پتل ہو، جنهن محتسب اعلیٰ سان سندس آفیسر و ملاقات کري "ہارن لام محتسب" جی سلسلی و یونیسف جی رتا بابت جان دنی محتسب وفد کی بتایو د محتسب سندھ جی ایکٹ ہیٹ ایلرو صوبائی سرکاری اڈارن خلاف ہارن جی شکایت بتان جو اختیار رکھي، پر خاص ذہان لام اسین محتسب جی اداری و ہارن جی شکایتن جو خصوصی شعبو قائر کریون پیا۔

# کراچی

## مختب اعلیٰ کا غیر قانونی تعمیرات مسمار کرنے کا حکم

5 سال قبل دائر کی گئی درخواست پر فیصلہ بائیم ڈی سائٹ کو رپورٹ دینے کی ہدایت

کراچی: صوبائی مختب اعلیٰ سندھ نے سائٹ ٹاؤن میں میٹروپولیٹن کالج سے متصل 20 فٹ روڈ پر کی جانے والی غیر قانونی تعمیرات کو فوری طور پر مسمار کرنے کے احکامات جاری کر دیے ہیں۔ سائٹ انڈسٹریل ایریا میں پلاٹ نمبر ایف 372 کے مالکان نے میٹروپولیٹن کالج میں کڑوا کالج سے متصل 20 فٹ روڈ پر ناجائز قبضہ کر کے راستہ بند کر دیا۔ مذکورہ قبضہ کو اس وقت کے ایم ڈی سائٹ اپنے اختیار است کا استعمال کر کے ریگولرائز قرار دے دیا تھا، ایم ڈی سائٹ کے اس غیر قانونی اقدام کے خلاف میٹروپولیٹن سوشل ویلفیئر ایسوسی ایشن کے جنرل سیکرٹری ملک سجاد نے صوبائی مختب اعلیٰ سندھ کو تقریباً 5 سال قبل 30 مئی 2003 کو درخواست دی تھی جس کی اپنی سب سے 5 سال کے دوران 3 سینئر افسران نے تحقیقات کیں جس کے بعد مذکورہ افسران نے اپنی حتمی رپورٹ صوبائی مختب اعلیٰ کو پیش کر دی جس پر صوبائی مختب اعلیٰ اسد اشرف ملک نے ایم ڈی سائٹ کو حکم جاری کیا کہ وہ غیر قانونی آلات منٹ

کونسل کو منسوخ کرتے ہوئے غیر قانونی تعمیرات کو مسمار کر کے روڈ کو اصل حالت میں بحال کریں اور 60 دن کے اندر رپورٹ پیش کریں۔ صوبائی مختب اعلیٰ نے فیصلے میں کہا ہے کہ کسی بھی ٹاؤن کے ایم ڈی کو زمین کی آلات منٹ کا اختیار حاصل ہے تاہم پبلک پراپرٹی مثلاً روڈ، نالے اور فٹ پاتھ کی آلات منٹ کا اختیار ایم ڈی کے پاس نہیں ہے تاہم تحقیقات میں یہ بات سامنے آئی ہے کہ قبضہ گرپ نے پلاٹ کے ساتھ سڑک پر بھی قبضہ کیا اور وہاں اپنی عمارت کے سامنے درخت اور پودے لگا کر عمارت کی عبادت کا کام کیا اور بعد ازاں مزید قبضہ کر کے وہاں دکانوں کی تعمیر شروع کر دی جس کی وجہ سے 20 فٹ چوڑا روڈ صرف 6 فٹ رہ گیا اور گریڈ کالج کو جانے والا راستہ بند ہو کر رہ گیا لہذا اس بات ہوا ہے کہ ایم ڈی سائٹ کی جانب سے قبضہ کا قانونی قرار دینے جانے کا اقدام اختیارات کا ناجائز استعمال ہے جس کا فوری طور پر سد باب ضروری ہے۔ (کراچی رپورٹر)



## پینشن کی ادائیگی میں تاخیر کی شکایت تحقیقاتی کمیٹی بنانے کی ہدایت

ناروا سلوک پر جی بی فنڈ کی سالانہ شرح سے ہر چاندہ مداروں کی تنخواہ سے وصول کیا جائے مختب سندھ

کراچی (اسٹاف رپورٹر) مختب سندھ اسد اشرف ملک نے اکاؤنٹ جنرل کو ہدایت کی ہے کہ سیکرٹری امور پر مشتمل تحقیقاتی کمیٹی بنائی جائے جو پینشن کی ادائیگی میں تاخیر کی ذمہ داری اور غفلت برسنے والوں کی نشاندہی کرے تاکہ متاثرہ فرد کے ساتھ ناروا سلوک پر جی بی فنڈ کی سالانہ شرح سے ہر چاندہ مداروں کی تنخواہ سے وصول کیا جائے تصدیقات کے مطابق بشیر بن یحیٰیم بیہ و بھاموئی راجپر نے مختب سندھ کو شکایت کی تھی کہ 2 جنوری 1999 کو اس کا شہر پینشن کے

استحقاق کے ساتھ ملازمت سے ریٹائر ہو گیا تھا جس کا چار ماہ بعد انتقال ہو گیا قانون کے مطابق بیہ و بھاموئی نے متعلقہ محکمے سے پینشن پر نظر ثانی کی درخواست کی تھی جس پر تاہم تحریر تاخیر سے کام لیا جا رہا ہے اور درخواست پر مختب سندھ نے مسودہ شرت رجسٹر اور تفیشی امور مقرر کیا گئے نے سال رواں کی 4 فروری کو پینشن کی ادائیگی کی اطلاع دی جس کی تصدیق شکایت

کراچی (اسٹاف رپورٹر) مختب سندھ اسد اشرف ملک نے اکاؤنٹ جنرل کو ہدایت کی ہے کہ سیکرٹری امور پر مشتمل تحقیقاتی کمیٹی بنائی جائے جو پینشن کی ادائیگی میں تاخیر کی ذمہ داری اور غفلت برسنے والوں کی نشاندہی کرے تاکہ متاثرہ فرد کے ساتھ ناروا سلوک پر جی بی فنڈ کی سالانہ شرح سے ہر چاندہ مداروں کی تنخواہ سے وصول کیا جائے تصدیقات کے مطابق بشیر بن یحیٰیم بیہ و بھاموئی راجپر نے مختب سندھ کو شکایت کی تھی کہ 2 جنوری 1999 کو اس کا شہر پینشن کے



روزنامہ نواز کے وقت کچی (15) 30 ستمبر 2008ء

## حسین رموی

## محاسب سندھ..... ایک عوام دوست ادارہ (۱)

حکومت کے ہر شعبے میں شمولیت کو سمجھنا اور  
تعمیل کرنا ایک چیلنج ہے۔ یہ چیلنج ہر شعبے میں  
ہوتا ہے۔ اس لیے اس ادارے کے قیام کا مقصد  
ہو کہ عوام کو اس ادارے کے قیام کے  
مغایہ سے باخبر کرے۔ اس ادارے کے قیام  
کا مقصد یہ ہے کہ عوام کو اس ادارے کے  
قائم ہونے کے بارے میں باخبر کرے۔ اس  
ادارے کے قیام کا مقصد یہ ہے کہ عوام  
کو اس ادارے کے قیام کے بارے میں باخبر  
کرے۔ اس ادارے کے قیام کا مقصد یہ ہے  
کہ عوام کو اس ادارے کے قیام کے بارے  
میں باخبر کرے۔ اس ادارے کے قیام کا  
مقصد یہ ہے کہ عوام کو اس ادارے کے  
قیام کے بارے میں باخبر کرے۔ اس ادارے  
کے قیام کا مقصد یہ ہے کہ عوام کو اس  
ادارے کے قیام کے بارے میں باخبر کرے۔

برادری کی وجہ سے صرف سم سنا کر  
کچھ کر لیں۔ یہ کچھ نہیں بلکہ اس کے  
مغایہ سے باخبر کر لیں۔ اس کے قیام کا  
مقصد یہ ہے کہ عوام کو اس ادارے کے  
قیام کے بارے میں باخبر کرے۔ اس ادارے  
کے قیام کا مقصد یہ ہے کہ عوام کو اس  
ادارے کے قیام کے بارے میں باخبر کرے۔  
اس ادارے کے قیام کا مقصد یہ ہے کہ  
عوام کو اس ادارے کے قیام کے بارے میں  
باخبر کرے۔ اس ادارے کے قیام کا مقصد  
یہ ہے کہ عوام کو اس ادارے کے قیام کے  
بارے میں باخبر کرے۔ اس ادارے کے قیام  
کا مقصد یہ ہے کہ عوام کو اس ادارے کے  
قیام کے بارے میں باخبر کرے۔ اس ادارے  
کے قیام کا مقصد یہ ہے کہ عوام کو اس  
ادارے کے قیام کے بارے میں باخبر کرے۔



روزنامہ نوائے وقت کراچی (15) یکم اکتوبر 2008ء

### مختبب سندھ..... ایک عوام دوست ادارہ آخری قسط

تحریر: حسن رضوی

واری اس کے لفتیشی افسر یعنی مشیر ان انجام دیتے ہیں اور پھر وہ اپنی رپورٹ فیصلے کی صورت میں مختبب کو پیش کرتے ہیں جس پر مختبب نظر ثانی کر کے متعلقہ محکمے کو اپنے فیصلے سے آگاہ کرتے ہیں محکمے کے سربراہ کی ذمہ داری ہوتی ہے کہ اس پر عملدرآمد کریں۔

اس نظام سے فیضیاب ہونے والوں میں وہ تمام شہری شامل ہیں جنہیں محکمہ آبپاشی 'زراعت' 'تعلیم' 'صحت' 'محکمہ پولیس' 'پیشن و غیرہ' کے حصول میں بدانتظامی کے تحت دشواریاں پیش آتی ہیں پھر وہ آسان اور سادہ طریقے سے مختبب سندھ سے رجوع کر کے اپنے مسئلے کو بغیر کسی اخراجات کے حل کر لیتے ہیں۔

ادارہ بن جاتا ہے جو عام شہریوں کی شکایت پر توجہ دیتا ہے ایسی شکایات جو محکمے یا حکومت سے رابطے میں پیدا ہوتی ہیں۔ متاثرہ شہری اپنی شکایت اردو، سندھی یا انگریزی زبان میں سادہ طریقے سے شناختی کارڈ اور حلف نامے کے ساتھ پیش کرتا ہے جس میں متعلقہ محکمے یا افسر کی نشاندہی موجود ہوتی ہے۔ حلف نامے میں وضاحت ہوتی ہے کہ یہ مسئلہ عدلیہ کے سامنے موجود نہیں ہے یا دوسری بار پیش نہیں کیا جا رہا ہے۔ مختبب کے مقرر کردہ رجسٹرار اس کی چھان بین کرتے ہیں کہ یہ شکایت حقیقی معنوں میں ایسے سرکاری محکمے سے متعلق ہے جو مختبب کے دائرہ اختیار میں آتی ہے اور کیا پیش کی گئی شکایت قابل توجہ ہے۔ مشکوری کے بعد متعلقہ محکمے کو شکایت کی نقل بھیج کر جواب طلب کیا جاتا ہے۔ جواب موصول ہونے کے بعد شکایت گزار اور متعلقہ محکمے نمائندے کو روپوش کر کے شہادتیں (اگر ہوں) یا گواہی لی جاتی ہے مختبب کی جانب سے یہ ذمہ

#### اپنے طریقہ کار سے

#### مختبب ایک عوام دوست

#### ادارہ ہے جو عام شہریوں

#### کی شکایت پر توجہ دیتا ہے

کیونکہ مختبب انتظامیہ کا حصہ نہیں ہے۔ اس لئے انتظامیہ کے امور و افعال پر غیر جانبدارانہ اور آزاد فیصلہ کرتے ہیں۔ تفصیل میں جائے بغیر اتنا لکھتا غیر ضروری نہیں ہو گا کہ جو مسائل و کیلوں کی بڑی بڑی فیصلوں سے حل ہوتے شکایات گزار ذاتی طور پر پیش ہو کر مختبب سے حل کر لیتے ہیں۔ ادارے سے استفادہ کرنے کیلئے ادارے کی تشکیل اختیارات اور دائرہ کار سے عام شہریوں کی واقفیت ضروری ہے۔ ادارت کے قیام کا مقصد بھی دیکھی اور پریشان حال عوام کے ساتھ تعاون اور مدد کرنا شامل ہے۔ اس لئے اسے عوام دوست ادارہ سمجھا جاتا ہے۔

☆☆☆☆

## سوال - جواب

۳۔ محتسب ادارہ کے دائرہ اختیار میں نہ آتی ہو۔

۴۔ شکایت کافی پرانی (زائد المیعاد) ہو۔

سوال: زائد المیعاد سے کیا مراد ہے؟

جواب: ایسی بد انتظامی کی شکایت جسے گزرے ہوئے تین ماہ یا اس سے زائد کا عرصہ ہو چکا ہو۔

سوال: کیا زائد المیعاد کے لیے کوئی استثناء ہو سکتا ہے؟

جواب: ہاں محتسب سندھ کی صوابدید پر ہے کہ خصوصی حالات کے پیش نظر کسی شکایت کو زائد المیعاد ہونے کی وجہ سے منظور کر لے۔

سوال: کارروائی اور تفتیش میں کتنی مدت لگ جاتی ہے؟

جواب: کارروائی اور تفتیش میں مدت کا حتمی تعین نہیں کیا جاسکتا۔ البتہ محتسب کا دفتر کلم سے کم وقت کے ازالہ کے لیے کوشش کرتا ہے۔

سوال: کیا محتسب کے فیصلوں پر صوبے کی انتظامی اور عاملانہ مشنری کو عمل کرنا لازمی ہوتا ہے؟

جواب: جی ہاں محتسب سندھ ایکٹ ۱۹۹۱ کے تحت محتسب سندھ کے فیصلوں پر عمل درآمد کرنا صوبے کی انتظامی اور عاملانہ مشنری کی ذمہ داری ہے۔

سوال: اگر میں محتسب سندھ کے فیصلوں سے مطمئن نہ ہوں تو کیا ہو سکتا ہے؟

جواب: ایسی صورت میں محتسب سندھ کے فیصلے کے خلاف ایک ماہ کے اندر گورنر سندھ کو Representation بھیجی جاسکتی ہے۔

سوال: کیا محتسب سندھ سے مدد لینے کی صورت میں عدالت سے رجوع کرنے کا حق ختم ہو جائے گا؟

جواب: محتسب سندھ میں شکایت کے زیر سماعت ہونے کے دوران آپ عدالت سے رجوع نہیں کر سکتے ایسا کرنے کے لیے پہلے آپ کو اپنی شکایت محتسب کے دفتر سے واپس لینا ہوگی اس کے بعد آپ کسی بھی عدالت سے رجوع کر سکتے ہیں۔

## سوال - جواب

سوال: میں شکایت کس زبان میں تحریر کر سکتا ہوں؟

جواب: آپ اپنی شکایت سندھی، اردو یا انگریزی میں سے کسی بھی زبان میں تحریر کر سکتے ہیں۔

سوال: شکایت گزار کی حیثیت سے کیا وکیل کی ضرورت ہوتی ہے؟

جواب: شکایت گزار اپنی شکایت کی خود پیروی کر سکتا ہے یا اگر چاہے تو وکیل کی خدمات حاصل کر سکتا ہے۔

سوال: کیا اپنی شکایت مختب سندھ سیکریٹریٹ کے آفس میں بھیجنا چاہیے؟

جواب: ضروری نہیں۔ آپ ہمارے کسی بھی قریبی ریجنل آفس میں بھی اپنی شکایت جمع کر سکتے ہیں۔ اپنے قریبی

دفتر کا پتہ معلوم کرنے کے لیے اس ٹیلی فون نمبر 021-99211026,25,28

سوال: میری شکایت پر مختب سندھ سے کیا توقع رکھی جاسکتی ہے؟

جواب: ہر شکایت کی مکمل جانچ کے بعد اگر قابل سماعت ہوتی ہے تو مختب کا دفتر متعلقہ محکمہ کے خلاف مناسب

کارروائی کرتا ہے۔ پہلے مرحلہ میں شکایت متعلقہ دفتر کے سربراہ کو بھیج کر اس پر محکمہ کا نقطہ نظر معلوم کیا جاتا

ہے۔ محکمہ کی طرف سے موصول شدہ جواب شکایت کنندہ کو بھیجا جاتا ہے۔ اگر اس کے بعد معاملہ حل نہیں

ہوتا تو دفتر مختب معاملے کی سماعت شروع کرتا ہے۔ جس میں تمام فریقین کو بلا یا جاتا ہے۔

سوال: حکومت کی انتظامی طاقت کے آگے مختب سندھ کے دفتر سے کیا توقع رکھی جاسکتی ہے؟

جواب: مختب سندھ ایک مجاز ادارہ ہے جس کے فیصلوں کو رد کرنے کا استحقاق بالترتیب گورنر سندھ اور اعلیٰ عدلیہ کو

ہے۔ ہو سکتا ہے کہ انتظامی پیچیدگیوں کے باعث فوری طور پر فیصلے پر عمل درآمد نہ ہو سکے لیکن امید قوی یہ ہے

کہ آپ کو یہاں سے انصاف ملے گا۔ لیکن یاد رہے کہ مختب کا دفتر اعلیٰ عدالتوں کا متبادل نہیں جہاں جانے

کا حق آپ بہر حال رکھتے ہیں۔

سوال: کس قسم کی شکایت دفتر میں قبول نہیں کی جاتی؟

جواب: ۱۔ ایسی شکایت جس پر مختب کا دفتر پہلے ہی کارروائی کر چکا ہو۔

۲۔ کسی بھی عدالت میں زیر سماعت ہو یا جس پر فیصلہ ہو چکا ہو۔

## سوال - جواب

سوال: محتسب سندھ کے دفتر کے قیام کا مقصد کیا ہے؟

جواب: محتسب سندھ کے دفتر کے قیام کا مقصد حکومت سندھ کے محکموں، دفاتر، افسران، اور اہلکاروں کے خلاف بدانتظامی کی شکایات کی شنوائی اور ان شکایات سے جنم لینے والے عوامی مسائل کو حل کرنا ہے۔

سوال: کیا محتسب سندھ، حکومت (انتظامیہ) سے خود مختار ہے؟

جواب: محتسب سندھ ایک خود مختار ادارہ ہے جس کے سربراہ محترم محتسب سندھ براہ راست گورنر سندھ کو جواب دہ ہیں۔ اسی لیے محتسب صاحب کے فیصلوں کے خلاف اپیل بھی صرف گورنر سندھ کے دفتر میں ہی دائر کی جاسکتی ہے۔

سوال: کس قسم کی شکایت سے محتسب سندھ کا تعلق ہے؟

جواب: سندھ حکومت کے زیر انتظام تمام محکموں میں کسی بھی بدانتظامی کے خلاف شکایت محتسب سندھ کو دی جاسکتی ہے۔ البتہ محتسب کے دفتر میں مکملہ جاتی شکایات جن کا تعلق سرکاری اہلکاروں کی دوران ملازمت تبادلہ، پروموشن یا ترقی وغیرہ سے ہو وہ محتسب کے دفتر میں داخل نہیں کرائی جاسکتیں۔

سوال: کیا میں محتسب سندھ کو شکایت پیش کر سکتا ہوں؟

جواب: جی ہاں پاکستان کا کوئی بھی شہری جس کے پاس شناختی کارڈ ہو یا کوئی بھی غیر ملکی جو پاکستان میں قانونی طور پر مقیم ہو وہ محتسب کو شکایت پیش کر سکتا ہے۔

سوال: کیا میری شکایت دفتر میں منظور کر لی جاتی ہے؟

جواب: آپ کی شکایت پر دفتر میں داخل ہونے کے بعد قانونی طور پر غور کیا جاتا ہے جس کے بعد اس کی منظوری کے بارے میں فیصلہ کیا جاتا ہے جس سے آپ کو آگاہ کر دیا جائے گا۔

سوال: محتسب سندھ کے دفتر میں شکایت درج کرانے کا طریقہ کیا ہے اور کیا اس پر کوئی خرچہ آتا ہے؟

جواب: محتسب سندھ کے دفتر میں شکایت رجسٹر کرانے پر کوئی خرچ نہیں آتا۔ یہ شکایت ایک سادہ کاغذ پر تحریر کر کے بالمشافہ یا ڈاک کے ذریعے بھیجی جاسکتی ہے۔

محتسب اعليٰ سنڌ جي مرڪزي آفيس ته صوبي جي گاديءَ ڪراچيءَ ۾ آهي پر عوام جي سهولت لاءِ صوبي جي ٻين مکيه شهرن ۾ ان جون مقامي آفيسون (Regional Offices) قائم ڪيون ويون آهن ته ماڻهن کي ڪراچي جو پنڌ ڪرڻو نه پوي، گهر وٺي انصاف ملي.

محتسب اعليٰ سنڌ صوبائي گورنر جي ماتحت ڪم ڪندو آهي، ان ڪري هر سال گورنر سنڌ کي رپورٽ پيش ڪندو آهي ته سندس مرڪزي ۽ صوبائي آفيس (عدالتن) ڪيترن ماڻهن کي ڪيترن سرڪاري کاتن مان انصاف وٺي ڏنو، سوهن رپورٽ پڙهڻ سان چٽيءَ طرح سان خبر پوندي آهي ته محتسب جو ادارو ڪيتري قدر عام ماڻهن لاءِ فائديمند ثابت ٿيو آهي.

هن کان اڳ جناب يوسف جمال صوبي سنڌ جو محتسب اعليٰ هو پر هاڻي کيس گورنر سنڌ جو صلاحڪار مقرر ڪيو ويو آهي ۽ سندس جاءِ تي جناب اسد اشرف ملڪ صاحب کي 5 جنوري 2008 کان محتسب اعليٰ سنڌ مقرر ڪيو ويو آهي.

چيني ماڻهو پنهنجي علم ۽ ڏاهپ لاءِ مشهور آهن، خود حضور صلي الله عليه وسلم جن چين ملڪ جي علم ۽ حڪمت کي ساراهيو آهي، چيني چوندا آهن ته دنيا جي وڏي ۾ وڏي درگاهه فلاڻي يا فلاڻي يونيورسٽي نه آهي وڏي ۾ وڏي درسگاهه ”تجربو“ آهي، انسان تجربي مان ئي سکي ٿو ۽ علم پرائي ٿو.

جناب اسد اشرف ملڪ جتي هڪ خوش مزاج، محبتي ۽ محنتي شخص آهي اتي وڏي تجربڪار عملدار جي حيثيت سان به مشهور آهي، سندس زندگيءَ جو وڏو عرصو سنڌ ۾ گذريو آهي، ان ڪري هن صوبي جي معاشري ۽ ان جي مسئلن کان بخوبي واقف آهي اميد آهي ته هو محتسب جي اداري کي مضبوط ڪندو ۽ هن صوبي جي عوام جي مسئلن کي حل ڪرڻ لاءِ هر سطح تي موثر قدم کڻندو. خوشقسمتيءَ سان وٽس ذهني ۽ تجربڪار ماتحت عملدارن جي هڪ ٽيم موجود آهي جن جي رپورٽ سان سان هو سنڌ جي عوام جي وڏي خدمت سرانجام ڏئي سگهندو. انشاء الله العزيز

## محتسب جو ادارو

شاھ ولي الله دهلويء سان هڪ قول منسوب آهي ته ”ماڻهو ڪفر سان پريل معاشري ۾ ته زندهه رهي سگهي ٿو پر ظلم سان پريل معاشري ۾ رهي نٿو سگهي.“

محتسب معنيٰ اهو شخص جيڪو حساب ڪتاب وٺي، يعني معاشري ۾ عام ماڻهن سان ظلم ۽ زيادتي ٿيڻ نه ڏئي.

ماڻهن سان ظلم ڪير ڪندو؟ زيادتي يا ناانصافي ڪير ڪندو؟ اهو ئي جنهن وٽ طاقت يا اختيار هوندو.

اختيارات جو غلط يا ناجائز استعمال ئي ظلم لاءِ راه هموار ڪري ٿو.

هر ملڪ ۾ طاقت يا اختيارات جو سرچشمو حڪومت آهي پر حڪومت جدا جدا خانن ۾ ورهايل آهي. انتظاميا، مقننه ۽ عدليه هنن تنهي شاخن جون وري ذيلي شاخون آهن، عام ماڻهن جو واسطو مختلف ڪمن لاءِ مختلف سرڪاري کاتن سان پوي ٿو:

مثال طور پوليس کاتو، روينيو کاتو، پيو کاتو، آبپاشي کاتو، تعليم کاتو ۽ ٻيا سرڪاري کاتا انهن مڙني کاتن جو ڪم ڪار سرڪاري عملدار هلائيندا آهن جن کي عام ماڻهو ”ڪامورا“ ڪوٺيندا آهن، سڀ ڪامورا سرڪار جا ملازم آهن ۽ قانون موجب ماڻهن سان وهنوار ۽ انصاف ڪرڻ لاءِ پابند آهن، پر سڀ ڪامورا هڪجهڙا انصاف پسند ڪونهن. ڪي قاعدي قانون جي پيروي ڪون ٿا ڪن ڪي ذاتي فائدي جي عيوض ۾ مستحق ماڻهن کي پنهنجو حق ڪونه ٿا ڏين. اها ئي ڳالهه مختلف کاتن ۾ بدانتظامي (Mal-administration) جو سبب بڻجي ٿي. تنهن ڪري سرڪار ”محتسب جو ادارو“ سرڪاري کاتن ۾ بدانتظامي کي روڪڻ ۽ عام ماڻهن کي حق حساب ڏيارڻ لاءِ قائم ڪيو آهي.

هونئن ته ظلم ۽ زيادتي کي روڪڻ لاءِ عدالت جا دروازا کليا پيا آهن پر عدالتون ديواني (Civil) هجن يا فوجداري (Criminal) هر عام خاص ماڻهوءَ کي عدالت مان انصاف لاءِ ”وڪيل“ ڪرڻو پوي ٿو، جيڏو وڏو وڪيل، اوتري وڌيڪ سندس في، سڀ ماڻهو امير ته ڪونه، سو ڪيترا ويچارا وڪيل ڪري ڪونه ٿا سگهن.

محتسب جو ادارو هڪ قسم جي اهڙي عدالت آهي، جنهن ۾ عام خاص ماڻهن کي وڪيل ڪرڻ کانسواءِ انصاف ملي ٿو. سو جيئن پوءِ تيئن محتسب وارين عدالتن ۾ گهڻي کان گهڻا فريادي اچي رهيا آهن.

جسمانی معذوری یا کوئی بد انتظامی کے سبب سے سپریم جوڈیشل کونسل اسے نااہل قرار نہ دے۔ منصب سے ریٹائر ہونے کے بعد محتسب دو سال تک نہ کسی سیاسی سرگرمی میں حصہ لے سکتا ہے اور نہ کسی عہدے کے لیے انتخاب کا اہل ہوتا ہے

18 سال کے عرصے میں چار محتسب خدمات انجام دے چکے ہیں جن میں پہلے محتسب ایس ایم وسیم (مرحوم) تھے جنہوں نے اس ادارے کو مکمل کیا۔ پاکستان کی سول سروسز کے اعلیٰ عہدوں پر متمکن رہے، معاملہ فہمی اور دیانتداری میں انتظامی صلاحیتوں کے علاوہ بھی ان کی شہرت تھی۔

ان کی مدت 1995ء میں ختم ہوئی تو سندھ ہائی کورٹ کے ریٹائرڈ جج مسٹر جسٹس (ر) صلاح الدین مرزا کا تقرر ہوا ان کی مدت 1999ء میں ختم ہوئی تو دوبارہ عدلیہ سے ہی مسٹر جسٹس (ر) حافظ الحیری کو محتسب سندھ نامزد کیا گیا 2003ء میں ان کی مدت کے بعد کچھ دن قائم مقام محتسب کی حیثیت سے ادارے کے سینئر ایڈوائزر علی نواز بوہڑو محتسب کے فرائض انجام دیتے رہے جس کی مدت تقریباً نو ماہ بنتی ہے۔ 3 جولائی 2004ء کو گورنر سندھ نے جناب یوسف جمال کو محتسب مقرر کیا جو ریٹائرڈ سی ایس پی ہونے کے ساتھ ادبی اور معاشرتی حلقوں کی مقبول شخصیت ہیں۔ انہوں نے مدت منصب سے چھ ماہ قبل استعفیٰ دے کر گورنر سندھ کے ایڈوائزر کے فرائض انجام دینا شروع کیے تو اس منصب پر گورنر سندھ عشرت العباد خان نے جناب اسد اشرف ملک کو مقرر کیا۔ جو اعلیٰ انتظامی صلاحیتوں کا تجربہ رکھتے ہیں بالخصوص جیرمین ادارہ انسداد بدعنوانی اور پولیس کے اعلیٰ ترین عہدوں پر رہنے کا تجربہ رکھتے ہیں اور اپنی حسن کارکردگی کی وجہ سے پریذیڈنٹ پولیس میڈل بھی حاصل کر چکے ہیں۔ توقع کی جاسکتی ہے کہ ادارہ محتسب اپنی قانونی ذمہ داریوں سے عہدہ برآ ہوتے ہوئے گڈ گورنس میں موثر کردار انجام دینے کے ساتھ معاون کی خدمات بھی انجام دے اور عوام کو پرسکون اور آسان زندگی گزارنے کے مواقع فراہم کرے جو بہتر طریقہ حکومت کا مقصد اولین ہے۔

اور پریشانیوں کا ادراک رکھتے ہیں اسی طرح یہ ایلڈ وائزر بھی تجربے کار اور ریٹائرڈ افراد ہوتے ہیں۔ ادارے کے قیام میں اس پہلو کو بھی پیش نظر رکھا گیا تھا کہ محتسب اپنی کارروائی میں انتظامیہ کے دباؤ یا اثر سے آزاد ہو اور فیصلہ دیتے وقت انصاف اور توازن کو پیش نظر رکھے اس کے علاوہ بھی محتسب محکموں کی کارکردگی کو بہتر بنانے کے لیے اپنی سفارشات پیش کرتے ہیں اور معاشرے سے ایسی برائیوں کے لیے جو بدعنوانی کا سبب بنتی ہیں ان پر تحقیق کے لیے صاحبانِ علم و ماہرین سے رابطہ کرنے اور مکالموں کا اہتمام کرتے ہیں تاکہ عوام میں بھی شعور و آگہی کی ترویج ہو۔ اس طرح یہ ادارہ عوامی خدمت کا فریضہ انجام دیتا ہے۔

محتسب کا فرض نیم عدالتی فیصلے کرنے پر ہی موقوف نہیں ہے کیوں کہ محتسب کا ادارہ عدلیہ سے علیحدہ دائرہ اختیار رکھتا ہے۔ عدلیہ انتظامیہ کے ایسے حکم پر کارروائی نہیں کرتی جو ضابطے اور قانون کے تحت کیے جاتے ہیں گویا عدالت ان کے سبب پر تفتیش نہیں کرتی۔ جبکہ محتسب انتظامیہ کے قانون کے تحت دیے ہوئے حکم پر عادلانہ پہلو کو نظر میں رکھتے ہوئے کسی جھجک کے بغیر اسے واپس لینے یا تبدیل کرنے کی سفارش کر سکتے ہیں۔ جہاں قانون یا ضابطہ انتظامیہ کو صوابدیدی اختیار دیتا ہے اسے عدالت کے بجائے محتسب مہرائی میں جا کر صوابدیدی اختیار کے عادلانہ نفاذ سے متعلق ترمیم کر کے اسے مناسب اور قابلِ غور بنا دیتا ہے۔ محتسب خیر اور نیکی کے لیے وہ نا انصافی جو قانون کے حوالے سے پیدا ہو رہی ہو اسے اپنے حکم سے متوازن بناتا ہے۔ اس طرح قانون کے ناجائز استعمال کو روکنے کے ساتھ محتسب معاشرے میں عادلانہ اقدار قائم کرنے میں معاون ہوتا ہے۔ یہ اصلاح کا ایک اہم پہلو ہے جو محتسب کو قانون کے تحت حاصل ہے۔ گنڈ گورنمنس کے اجزاء کی راہیں ایک ایسے ہی ادارے سے ہموار ہو سکتی ہیں جو عوام دوستی اور ان کے تعاون سے انتظامیہ کو اس کے دائرہ اختیار اور قانون کا پابند بنائے۔

محتسب سندھ کے ادارے کو قائم ہوئے 18 سال مکمل ہو گئے۔ ایکٹ کے تحت گورنر سندھ کسی موزوں اور اہل شخصیت کو اس منصب پر چار سال کے لیے مقرر کرتے ہیں۔ مدت منصب کو مکمل تحفظ حاصل ہوتا ہے تا وقتیکہ ذہنی

شکایات کا ازالہ عدالت کے بجائے داخلی طور پر ہو سکے۔ ان میں بینکنگ کے شعبے کا محتسب، انکم ٹیکس کے شعبے اور انشورنس کے لیے محتسب مقرر کیے گئے ہیں یہ سب وفاق کے تحت آزاد اور خود مختار ہوتے ہوئے اپنے شعبوں میں بدعنوانی اور بدانتظامی کی نگرانی کرتے ہیں۔ صوبہ سندھ کی انتظامیہ کے لیے 1991ء میں ایک آرڈیننس کے ذریعے پہلے محتسب ایس ایم ویم (مرحوم) کا تقرر ہوا 1992ء میں صوبائی اسمبلی نے اسے ایکٹ کا درجہ دے دیا جس میں ادارے کے اغراض و مقاصد، دائرہ اختیار، اس کی ہیئت و تشکیل کو واضح کیا گیا ہے۔

انتظامیہ کی کارکردگی کا نوٹس محتسب سندھ گورننس کے تناظر میں لیتے ہیں جس میں مختصر ادیکھا جاتا ہے کہ قانون اور ضابطے کی تعمیل میں کوئی الٹا کار یا منصب دار نیک نیتی یا جائزہ جوہ کے بغیر انحراف تو نہیں کر رہا ہے۔ گمراہ کن، بے قاعدہ یا غیر معقول جو خلاف انصاف یا موجب ظلم یا امتیازی رویہ رکھتا ہو وہ زور بہ عمل تو نہیں آ رہا۔ کسی غیر متعلقہ بنیاد پر فاسد یا نامناسب محرکات مثلاً رشوت بے ایمانی، پاسداری، اقرباء نوازی اور انتظامی زیادتیوں کے لیے اختیارات کا استعمال کرنا یا ایسا کرنے سے کوتاہی یا انکار تو شامل نہیں ہے۔ یا پھر فرائض اور ذمہ داریوں کی انجام دہی یا بجآوری میں غفلت بے توجہی یا تاخیر برتنے پر عدم قابلیت نااہلی اور نالائقی کی وجہ تو نہیں ہے؟ ان میں سے کسی ایک یا متعدد رویوں سے نہ صرف قانون کی بالادستی مجروح ہوتی ہے بلکہ عوام کو شکایت پیدا ہوتی ہے جسے نمٹانے اور تدارک کرنے کے لیے یہ ادارہ ہمہ وقت حاضر ہوتا ہے۔ ان میں سے کسی بھی رویے سے متعلق عوام کو حق حاصل ہے کہ وہ اپنی شکایت محتسب سندھ کو پیش کریں جس پر محتسب سندھ متعلقہ اہلکار یا محکمے سے جواب طلبی کے بعد حق و انصاف کے تحت فیصلہ دیتے ہیں اور اس فیصلے پر محکمے کے سربراہ عملدرآمد کرانے کا قانونی طور پر پابند ہوتا ہے۔

محتسب سندھ اپنے فرائض کی انجام دہی میں معاونت کے لیے ایڈوائزر اور کنسلٹنٹ کا تقرر کرتے ہیں جو کنٹریکٹ کی بنیاد پر ہوتے ہیں۔ جس طرح محتسب خود انتظامی امور قاعدے ضابطے اور قانون کی عملدرآمد کی پیچیدگیوں اور اعتراضات کے سارے نشیب و فراز سے اپنے تجربے کی بنیاد پر واقف ہوتے ہیں اور عوام کی ضرورتوں

مملکت کا دستور اہل کاروں اور منصب داروں کے ذریعہ رُو بہ عمل آتا ہے۔ یہاں نفسیاتی عوامل اور بشری کمزوریاں بھی در آتی ہیں۔ عوام کو جب کسی قانون، ضابطے یا قاعدے سے سابقہ پڑتا ہے تو اسے رُو بہ عمل لانے والے کی ذات بھی عامل بن جاتی ہے۔ اگر متعینہ حدود اور دائرہ کار میں اخلاقی و قانونی شرائط پوری ہو رہی ہوتی ہیں تو کسی شکایت پیدا ہونے کا امکان نہیں ہوتا یا غلط فہمی پر اگر ہو بھی جائے تو اس کا ازالہ ممکن ہوتا ہے۔ برخلاف اس کے ذاتی پسند و ناپسند یا غرض اور مفاد اگر درمیان میں آجائے تو کرپشن اور بدانتظامی سر اٹھاتی ہے۔ اس سے نمٹنے کے لیے شہریوں کو بلاشبہ انتظامیہ نے رعایت دی ہوئی ہے کہ وہ اپنی شکایت حکام بالا یا سربراہ کو پہنچا کر اس کے تدارک کی کوشش کریں پھر بھی مطمئن نہ ہوں تو دستوری استحقاق کو بروئے کار لانے ہوئے عدلیہ سے داورسی حاصل کر سکتے ہیں۔ دقت یا دشواری جب پیدا ہوتی ہے کہ معمولی نوعیت کی شکایت کے لیے بار بار عدلیہ سے رجوع کرنے میں طویل مدت اور پیسے کے اخراجات سے گھبرا کر لوگ انتظامی انصاف حاصل کرنے سے دل برداشتہ ہو کر کرپشن اور بدانتظامی سے مفاد ہمت کر لیتے ہیں جس سے گڈ گورنس کا عمل مجروح ہو کر قانون کے احترام میں کمی آتی ہے۔ معاشرہ بے چینی اور انتشار کا شکار ہو جاتا ہے۔ عوام میں لاطعلقی پیدا ہوتی ہے اس خلا کو پُر کرنے کے لیے دستور نے درمیانی راستہ تلاش کرتے ہوئے محاسب کے نظام کو قانونی درجہ عطا کیا ہے جو دیوان المظالم کا جمہوری اور ترقی یافتہ نظام ہے۔

اسلامی جمہوریہ پاکستان کے عبوری دستور 1972ء کی آرٹیکل 276 میں وفاقی محاسب اور صوبائی محاسب کے قیام کے تقرر کو پہلی بار متعارف کرایا گیا پھر دستور 1973ء کے چوتھے شیڈول کی فیڈرل لیجسلیوٹ آئینم نمبر 13 میں صدر مملکت کو وفاقی محاسب کے لیے چار سال کے تقرر کا اختیار دیا گیا تھا جسے ایک حکم کے ذریعے 1983ء میں رُو بہ عمل لایا گیا ہے۔ اس کا دائرہ اختیار کیوں کہ وفاقی سطح تک محدود تھا اس لیے صوبوں میں بھی آرڈیننس اور بعد ازاں صوبائی اسمبلی سے منظور ہو کر ایکٹ کے ذریعے محاسب کا قیام عمل میں لایا گیا۔ محاسب سرکاری انتظامیہ کے لیے مقرر ہوتے ہیں لیکن اب مالیاتی شعبوں میں بھی جن سے عوام کا سابقہ پڑتا ہے محاسب مقرر ہو گئے ہیں تاکہ عوامی

## ادارہ محتسب بہتر طرز حکمرانی کی شاہراہ کاسنگ میل

تاریخ کے اوراق درخشاں میں ایسے حکمرانوں کا بھی ذکر ملتا ہے جنہوں نے رعایا کے حال احوال اور ان کی شکایات سے آگہی کو ہمیشہ طرز حکمرانی کی بنیاد سمجھا۔ اہل کاروں اور منصب داروں کے پاس جو اختیارات ہوتے ان کی عملدرآمدی میں غیر منصفانہ ناروایا ناجائز طریقوں کو برتنے کا احتساب کیا جاتا تھا۔ کچھ تو اس کا طریقہ شخصی ہوا کرتا کہ حکمران خود بھیس بدل کر رعایا کے درمیان معلومات حاصل کرتا اور کچھ حکمران اپنے نمائندے منتخب کر دیتے جو وقتاً فوقتاً حالات سے آگاہ کرتے رہتے۔ اسے نظام کے طور پر خلافت عثمانیہ نے دیوان المظالم کے نام سے متعارف کرایا۔ قاضی حضرات، عدل و انصاف فراہم کرنے کے لیے مقرر ہوا کرتے تھے جب کہ دیوان المظالم حکمران کا نمائندہ ہوتے ہوئے عوام کے درمیان ان کی اخلاقی و معاشرتی طرز حیات پر نظر رکھتا اور رعایا کے ساتھ انتظامیہ کے غیر منصفانہ ناجائز اور ظالمانہ رویے پر گرفت بھی کرتا۔ سویڈن کے بادشاہ چارلس دوازدہم نے ترکی میں اپنی جلاوطنی کی زندگی میں اس نظام کا مشاہدہ کیا جب دوبارہ اس کی بادشاہت بحال ہوئی تو اس نے چھوٹے پینے پر اس نظام کو سویڈن میں متعارف کرایا بعد ازاں اس کے جانشین بادشاہ گسٹاری نے باقاعدہ قانون بنا کر اسے ادارے کی حیثیت دی اور اس کا نام امبد زمین Ombudsman رکھا۔ یہ سویڈش لفظ ہے جس کے معنی ایجنٹ کے ہوتے ہیں یعنی سربراہ مملکت کا ایجنٹ۔

اب نہ وہ شخصی حکومتیں رہیں نہ بادشاہتیں جمہوریت کے دور میں حقیقی حکمرانی عوام کو حاصل ہے جو باہمی رضا مندی کے تحت دستور کی تشکیل اور ترمیم کا حق رکھتے ہیں دستور میں حکومت کے تمام اختیارات اور دائرہ کار کا ذکر ہوتا ہے جو خود مختار اداروں یعنی قانون سازی، انتظامیہ اور عدلیہ میں منقسم ہوتے ہیں اور ان سے وجود میں آنے والی مملکت کا سربراہ دستور کے تحت منتخب ہوتا ہے جو دستور کے منشاء اور مقصد کی حفاظت کا کام کرتا ہے۔ دستور کے تحت اداروں کے رویہ کار آنے کے لیے قانون ساز ادارہ ضابطے قواعد و اصول بناتا ہے جس پر عملدرآمد انتظامیہ کراتی ہے۔ کسی اختلاف کی صورت میں عدلیہ اس کا تصفیہ کرتی ہے۔ یہ موجودہ طرز حکمرانی کی ایک جھلک ہے تینوں اداروں میں

# Contact Us

## Headquarter

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## Regional Office, Karachi East

F-9, First Floor, E.O.B.O.I. House  
(Ex-Awami Markaz)  
Near Baloch Colony Bridge,  
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## Regional Office, Karachi Central

Office of the District Officer (Male)  
Elementary Education  
Near Govt. APWA Women College,  
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## Regional Office, Thatta

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## Regional Office, Hyderabad

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## Regional Office, Mirpurkhas

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## Regional Office, Mithi

Near Treasury Office,  
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## Regional Office, Dadu

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## Regional Office, Nawabshah

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Near Circuit House  
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## Regional Office, Badin

Karachi Road, Near District & Session Court,  
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## Regional Office, Larkana

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## Regional Office, Sukkur

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## Regional Office, Naushero Feroze

Old EDO, Health Office,  
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