



DECISION

Complaint No. : POS/189/2019/KC/KM/KW

Name and address of the complainant : Syed Arif Shah, H. No. F-75, M.P.R. Colony, Baloch Goth Manghopir Road, Karachi.

Name of the Agency Complained against : Director General, Sindh Building Control Authority, Karachi.

Name & Designation of Investigating Officer : Mr. Aftab Ahmad Khatri, Director, Regional Office, Keamari/West

Vetted by : Mr. Muhammad Naseer Jamali, Advisor-N.

Subject : **COMPLAINT AGAINST SINDH BUILDING CONTROL AUTHORITY KARACHI ALLEGING FAILURE TO TAKE ACTION AGAINST ILLEGAL CONSTRUCTION ON PLOT NOS: F-98 AND F-99 AT MPR COLONY, MANGHOPIR ROAD, KARACHI.**

COMPLAINT

Syed Arif Shah filed a complaint dated 13.09.2019 wherein he stated that the illegal construction is being raised on plot Nos: F-98 and F-99 at MPR colony, Manghopir road Karachi. He sent complaints to the Sindh Building Control Authority and other agencies for taking action against illegal construction of high rise buildings but no action has been taken by any agency. He enclosed the copy of letter dated 24.12.2018 issued by Deputy Director, SITE Town SBCA addressed to the Deputy Commissioner, Karachi West and Director, Katchi Abadi for taking action against unauthorized activities of construction. He also enclosed a copy of Sealing Order dated 21.05.2019 of the building issued by the Deputy Director, SBCA SITE Karachi but he failed to take subsequent action when sealing order was violated.

PROCEEDINGS

2. The complaint was admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) after receiving mandatory affidavit on Form-A and other relevant documents and by condoning the delay.
3. This office issued a notice dated 11.02.2020 to the Director (Buildings), SBCA, SITE Town, Karachi for report. In response, the Deputy Director, SBCA SITE Town Karachi informed vide letter dated 26.02.2020 that the matter pertains to the Director, Katchi Abadies Cell, SBCA, 4th floor, Annexe Building Karachi. This office issued notices/ summons on various dates for report and attendance of Director, Katchi Abadies Cell, SBCA Karachi but no response received. Finally, the bailable warrants for attendance of Director, Katchi Abadies Cell, SBCA were issued vide dated 18.03.2025 and SHO New Town, Police Station informed vide letter dated 26.03.2025 that the office of Director, Katchi Abadi Cell, SBCA was not found at Civic Centre Karachi.

4. The case was heard at Headquarter on 21.05.2025, attended by Director General, SBCA also. The Deputy Director, SBCA Orangi Town Karachi appeared before Investigation Officer on 17.06.2025 and submitted a report that the area of MPR colony, Orangi Town is un-planned area and does not fall in the jurisdiction of the Sindh Building Control Authority. Notices u/s 7/A, SBCA Ordinance 1979 have been issued to the owner of the plot. He informed that Ground+3 floors have been constructed on plot Nos.F-98 and F-99 of 100 sq yards each without approval of SBCA and the building is occupied by the residents. Notices have been issued to the utility providing agencies for disconnection of utility services of the building.

5. In order to confirm the jurisdiction of SBCA over un-planned areas, the case was heard on 25.06.2025, attended by Director and Deputy Director, SBCA. They informed that the agency approves the building plans of planned areas keeping in view the approved layout plans by the concerned land development agencies like KDA, LDA or MDA and others.

FINDINGS:

6. The investigation of the complaint established maladministration against the Sindh Building Control Authority, District Administration and Katchi Abadies Authority for remaining silent and for failing to take action during raising of illegal construction on plots i-e F-98 and F-99, MPR colony, Manghopir road Karachi.

DECISION

7. I, in the exercise of the powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (as amended to date), I, hereby direct the Commissioner Karachi Division and Director General Sindh Building Control Authority to conduct an enquiry against the officials responsible for negligence / connivance and take further action against illegal construction raised over plot Nos:F-98 and F-99 as per applicable Law and Rules.

Given under my hand and seal of the office



Sd /-
(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz. PAS
Ombudsman, Sindh

Karachi, dated 3rd July, 2025