



DECISION

Complaint No. : POS/CH-417/2015 and four hundred and eight others attached nine as per list Annexure-A

Name and address of the complainant : Mr. Faryaad Masih and other as per list attached as list at Annexure-A

Name of the Agency Complained against : Karachi Metropolitan Corporation

Name & Designation of Investigating Officer : Mir Hussain Ali
Advisor-M

Vetted by :

Subject : NON-PAYMENT OF PENSIONARY AND OTHER SERVICE DUES TO RETIRED OFFICIALS AND HEIRS OF DECEASED EMPLOYEES OF KARACHI METROPOLITAN CORPORATION (KMC) AND TOWN MUNICIPAL CORPORATION (TMCs).

Four hundred and eight complaints pertaining to pension and other service dues not being paid to the retired pensioners of KMC and TMC's (erstwhile DMC's) and to the heirs of deceased pensioners are under investigation in the office of the Ombudsman Sindh since many years. Details of such complaints are mentioned in the list attached as Annexure-A. These dues mainly comprise of pension, encashment of LPR, commutation, gratuity, etc.

2. In nearly all these cases, the complaints were referred to the Karachi Metropolitan Corporation, as it has been making payments of pension and other service dues to the employees of DMCs / TMCs also, for redressing the grievance of the complainants by paying their outstanding dues. Some of the complaints have also been referred to the erstwhile District Municipal Corporations and the Town Municipal Corporations for their resolution. However, the grievance of the complainants remains unresolved.

3. Nearly in all the complaints, the KMC has reported that in view of its financial constraints, it is not in a position to pay these outstanding amounts, and that it has requested the Government of Sindh to grant additional funds to KMC for this purpose. Karachi Metropolitan Corporation, has also reported commitments given by the Government of Sindh to provide financial assistance to KMC and TMCs for this purpose, which have not yet been fulfilled.

4. Further, as per the latest amendment in its policy, KMC in light of the provisions of Sindh Local Government Act, have stopped entertaining the requests of the retired employees of the TMCs regarding payment of their service dues, which is also adding to the misery of the affectees, as the TMCs are also refusing to process their cases. Hence in the case of retired employees of TMCs, no agency is taking responsibility for payment of their pension dues.

5. It is further observed that these complaints are not disputed by the agencies, because they all pertain to the service dues of the retired employees, which the employing agency is obliged to pay.

6. Accordingly, it is observed that the claims of the complainants are genuine and KMC and the TMC's and the Local Government Department, cannot absolve themselves from fulfilling this responsibility of paying service dues of retired employees, which is their basic right. This failure to fulfill this obligation amounts to maladministration within their agencies.

7. Accordingly, under Section 11 of Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, I hereby decide as follows:

- i) The Local Government Department, Government of Sindh, is directed to examine the relevant law and policies, and decide whether the retiring employees of TMC's, will submit their cases for payment of service dues to the TMC or KMC, and decide the matter within 30 days.
- ii) Karachi Metropolitan Corporation and the Town Municipal Corporation's as per their respective responsibility fixed vide decision taken as para 7(i) to take immediate steps to initiate payment of service dues to these four hundred and eight complainants on the criterion of seniority of retirement i.e. First In First Out basis and complete this process of clearance of dues through action taken in compliance of orders of the Honorable High Court of Sindh passed on 12.3.2025. The Local Government Department of the Government of Sindh, who is the controlling authority of the local Corporations and Councils, is also directed to ensure that this maladministration is rectified immediately so that this process of payment of service dues to the retired employees of KMC and DMCs / TMCs is completed.

"GIVEN UNDER MY HAND AND SEAL OF OFFICE"



Sd /-
(Muhammad Sohail Rajput)
Sitara-e-Imtiaz, PAS
OMBUDSMAN SINDH
Karachi, dated March, 2025

20th