



DECISION

Complaint No. : POS/1175/2023/HYD/94

Name and address of the complainant : Mst. Zubaida w/o Habib-ul-Hassan
R/o H.No: C-28/1616, Mohallah Chotki Ghitti
Hyderabad.

Name of the Agency Complained against : Municipal Commissioner, HMC Hyderabad.

Name & Designation of Investigating Officer : Abdul Wahab Memon, Consultant / Regional Director,
Regional Office, Hyderabad.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : COMPLAINT AGAINST HYDERABAD MUNICIPAL CORPORATION ALLEGING INORDINATE DELAY IN PAYMENT OF SERVICE DUES TO THE COMPLAINANT

Complaint

Mst. Zubaida w/o Habib-ul-Hassan filed a complaint dated 27.01.2023 wherein she stated that she was working as Lady Naib Qasid (BPS-02) in Social Welfare Department, HMC Hyderabad. She retired from service on 31.12.2021 but her admissible service dues have not been paid to her. Aggrieved by that, she solicited intervention of this Institution.

Proceedings

2. The complaint was admitted for investigation u/s 10 (3) 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 notice dated 02.03.2023 to the Accounts Officer, HMC Hyderabad for report. In response, the Senior Accounts Officer, HMC, Hyderabad vide letter dated 13.03.2023 submitted the details of outstanding dues of the complainant as under:

S.No	Head	Amount
1	Encashment of LPR	Rs.205,121/
2	Monthly pension w.e.f 01.01.2022 to 30.04.2022	Rs.85,480/
3	Commutation/Gratuity	Rs.618,542/
	Total	Rs.909,143/

He added that due to strained financial condition of HMC, the Local Government Department, Government of Sindh has been requested for grant-in-aid in order to clear the service dues of retired and deceased employees.

4. The agency's report was sent to the complainant for rejoinder vide letter dated 17.03.2023 who in response reiterated her version for early payment of service dues.

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5. The Senior Accounts Officer, HMC Hyderabad vide subsequent report dated 18.12.2023 informed that the name of the complainant stands at S.No: 75 of waiting list of employees (retired/expired) for payment of commutation and she will be paid as per FIFO policy. Moreover, she has been paid encashment of LPR, amounting to Rs.205,121/- and arrears of pension, amounting to Rs.85,480/-.

Findings

6. The investigation of the complaint revealed following facts:

- (i) As per agency's report, 222 retired employees are on waiting list for payment of service dues for want of required budget provision by Government of Sindh. The complainant is waiting at Sr. No: 75 for payment of commutation.
- (ii) This matter is also pending before the Hon'ble Sindh High Court and directions issued by the court for timely release of service dues to the retired/deceased employees cases.
- (iii) The agency has adopted FIFO policy and no incidence of discrimination has come on record as alleged by the complainant.

Decision

7. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the office of the Ombudsman for the Province of Sindh Act, 1991 (amended upto date), the complaint is disposed of as per directions of Sindh High Court and payment to the complainant under FIFO policy adopted by Hyderabad Municipal Corporation.

Given under my hand and seal of the office



Sd /-
(MUHAMMAD SOHAIL RAJPUT)
Sitara-e-Imtiaz, PAS
Ombudsman Sindh

Karachi, dated 10th January, 2025