



DECISION

Complaint No. : (i) POS/7447/2022/KC/F-38
(ii) POS/7049/2022/ KC/F-37

Name and address of the complainant : Mr. Muhammad Imran Khan, 1/F-7/4, Nazimabad No. 01, near Dakhana, Karachi

Name of the Agency Complained against : Sindh Building Control Authority (SBCA)

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F

Vetted by : --

Subject : **INACTION ON THE COMPLAINTS MADE AGAINST ALLEGED ILLEGAL CONSTRUCTION OF COMMERCIAL PORTIONS ON PLOT NO.1-F-6/5, STREET NO. 06, NAZIMABAD NO. 1 AND PLOT NO.1-F-7/2, STREET NO. 07, NAZIMABAD NO. 1 CAUSING PROBLEMS TO THE RESIDENTS.**

THE COMPLAINT:

Mr. Muhammad Imran in his complaints stated that in their locality Nazimabad No. 1 at Street No. 06, Plot No. 1-F-6/5 and at Street No. 07, Plot No.1-F-7/2, the builder mafia is carrying out construction of commercial portions on residential plots without obtaining NOC from the competent authorities. He further stated that such illegal constructions are causing serious inconvenience to the residents of the area and the neighborhood. The complainant alleged that these constructions have resulted in loss and damage to the privacy of the adjoining houses and families thereby leading to the violation of their fundamental rights of privacy and peaceful living. It has also been alleged that whenever the residents of the locality raise objections and protest against these illegal constructions, the builder mafia threatens them with dire consequences. Despite complaints to the concerned departments no action has been taken so far and the illegal activity continues unabated. He therefore, solicited intervention of this Institution for relief.

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) and the matter was taken up with the Director General and Director Central of Sindh Building Control Authority.
3. The Deputy Director vide letter No.SBCA/DD/District Central/2023/1239 dated 12.09.2023 reported regarding Plot No.6/5, Block1-F, Nazimabad No.1, Karachi that site has been inspected by field staff. It has been observed that Ground+02 floors building are existing at site and currently occupied. He stated that for giving a fair opportunity of hearing 03 days Show Cause Notice was issued to the owner/occupants of the subject property. He annexed copy of Show Cause Notice No.SBCA/DD/District-Central/2023/1236 dated 12.09.2023.

4. Regarding Plot No.7/2, Block1-F, Nazimabad No.1, Karachi, the Deputy Director vide letter No.SBCA/DD/District Central/ 2023/1237 dated 12.09.2023 reported that site has been inspected by field staff. It has been observed that a Ground + 04 floors building exists at site and is occupied. He further stated that ejectment letter to the owners/occupant issued and letter were also sent to the utility providing agencies for disconnection/not to provide utility services. The concerned Sub-Registrar also intimated not to execute sale deeds / sub-lease etc. of subject properties.

5. Hearings were fixed by issuing notices to Complainant and Respondents.

6. On the date fixed for hearing, the Complainant and Director, District Central, SBCA appeared in person. The Director undertook to visit both sites and to take necessary action in the matter as per SBCA's laws/rules/regulations.

FINDINGS:

7. The complaint relates to alleged illegal constructions on Plot Nos. 1-F-6/5, Street No. 6 and 1-F-7/2, Street No. 7 of Nazimabad No. 1, Karachi. From the record and the statement of the Director, District Central, SBCA, it is evident that unauthorized constructions have been raised on the subject plots in violation of applicable building regulations. SBCA has acknowledged the violations and claims to have initiated necessary legal proceedings, including issuance of Show Cause Notice and ejectment notices as well as communicated with utility agencies and Sub-Registrar for cancellation of illegal transactions. However, enforcement action (e.g. disconnection of utilities or physical removal) is still pending.

8. The Director Central SBCA committed to visiting both sites and assured action under relevant laws.

DECISION:

9. I, in 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 (amended up to date), hereby direct the Director General, Sindh Building Control Authority, Karachi to take the legal action as per law, rules and regulations in both cases **within 45 days** without fail and also to fix responsibility and take action against Officers of SBCA through whose connivance such illegal structures were constructed.

10. Compliance should be reported within 45 days positively.

Given under my hand and seal of office



Sd /-

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz. PAS

Ombudsman Sindh

Karachi, dated 11th September, 2025