



## **DECISION**

**Complaint No.** : POS/1527/2025/Adv-M

**Name and address of the complainant** : Mr. Ahsan Ali Siddiqui s/o Abdul Hafeez Siddiqui, ASI, F&I P Department, KMC, Karachi.

**Name of the Agency Complained against** : Karachi Metropolitan Corporation

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

**Vetted by** :

**Subject** : COMPLAINT REGARDING NON-PAYMENT OF SERVICE DUES IN RESPECT OF DECEASED FATHER OF THE COMPLAINANT AND UNJUST TERMINATION OF HIS SERVICE.

### **Complaint:**

Mr. Ahsan Ali Siddiqui filed his complaint dated 27<sup>th</sup> February 2023 against the Karachi Metropolitan Corporation who have allegedly terminated his service in KMC on irrelevant grounds that his family is not vacating the bungalow allotted to his father. Hence he prayed for intervention in the present matter by this Institution.

### **Proceedings:**

2. The complaint admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act 1991 was taken up with the Karachi Metropolitan Corporation for comments. In response the Senior Director, HRM, Karachi Metropolitan Corporation attended the hearing on 28<sup>th</sup> April 2025 and submitted his report vide letter No. dated 25<sup>th</sup> April 2025, that the complainant was appointed as Assistant Sub-Inspector in BPS 11 through the deceased quota on 19<sup>th</sup> April 2023, in place of his father who expired on 2<sup>nd</sup> March 2018, while serving as Senior Director in KMC in BPS 20. He further reported that the bungalow No. 2, Nazareth Road, allotted to the complainant's father was not being vacated by the complainant, although he was not entitled for the same. Accordingly disciplinary action was initiated against him in October 2024 and his services were terminated on the 8<sup>th</sup> January 2025, as he was not vacating the bungalow.

3. On being confronted with this report of the agency, the complainant stated that his father died on 2<sup>nd</sup> March 2018, and he was appointed on 19<sup>th</sup> April 2023, which means that action for vacation of this bungalow for nearly five years was being taken against the family of the deceased officer, in particular the widow as she was the head of the family. He further stated that as his father's service dues amounting to Rs.32,70,515/= are not being paid, his mother is facing financial constraints, which do not allow her to vacate this accommodation. He further stated that he in his personal capacity was neither responsible for the vacation of the premises nor has he committed any indiscipline or inefficiency in the performance of his duties.

### **Findings:**

4. From the above proceedings it is clear that the matter of official accommodation allotted to a deceased official, not being vacated is an issue which has to be dealt with, by KMC in accordance with the Rules and Regulations on that subject. And there also, the

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reasoning given by the family of the deceased that service dues of the deceased officer have not been released, due to which they don't have the financial capacity to move to another residence will have to be considered.

5. It is also clear that all actions for vacation of the bungalow were always directed against the family of the deceased and the widow in particular, during the period 2018 to 2023 i.e. five years. Even the notice issued on 15<sup>th</sup> August 2024 is addressed to the family of the late Abdul Hafeez Siddiqui.

6. As such it is clear that the responsibility of vacating the premises does not lie on the complainant, as KMC has been pursuing the family for five years for this purpose, and even the final notice is addressed to the family and not to the complainant. Further the complainant has not displayed any indiscipline or inefficiency in the performance of his duties, and therefore the termination of his service amounts to maladministration on the part of the KMC, because instead of following the rules for pursuing vacation of the premises, they have resorted to illegal action against the complaint.

**Decision:**

7. In view of the above proceedings and findings, u/s 11 of Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, I hereby order as follows:

1. In view of the maladministration committed while taking disciplinary action against complainant, the Mayor and Metropolitan Commissioner KMC are directed to restore the employment of the complainant Mr. Ahsan Ali Siddiqui, which was provided to him through the deceased quota.
2. Since the family is willing to hand over the possession of the bungalow, the same may be availed by KMC, after the restoration of the complainant's employment.

"Given under my hand and seal of office"



**Sd /-**  
(Muhammad Sohail Rajput)  
Sitara-e-Imtiaz, PAS  
OMBUDSMAN SINDH  
Karachi, dated 7<sup>th</sup> May, 2025