



DECISION

Complaint No. : POS/8459/2023/2023/KM/KW

Name and address of the complainant : Dr. Khalid Mehmood, House No. 893, Sector 21-A Block-C, Gulshan-e-Ghazi, Near Imam Bargah, Sabeel-e-Hussain Baldia Town, Karachi.

Name of the Agency Complained against : School Education & Literacy Department.

Name & Designation of Investigating Officer : Mr. Aftab Ahmad Khatri, Director, Regional Office, Keamari (west).

Vetted by : Mr. Rafiuzzaman Siddiqui, Advisor-B

Subject : **COMPLAINT AGAINST SCHOOL EDUCATION DEPARTMENT ALLEGING NON-ISSUANCE OF APPOINTMENT ORDER TO THE COMPLAINANT FOR THE POSITION OF PRIMARY SCHOOL TEACHER.**

COMPLAINT

Mr. Khalid Mehmood filed a complaint on October 19, 2023, against the School Education & Literacy Department wherein he alleged that his brother, Mr. Asad Mehmood successfully passed the test conducted by IBA Sukkur, for the post of Primary School Teacher in the School Education & Literacy Department. After the result was announced, all other successful candidates were issued the offer letter by the department except him. Mr. Khalid further stated that he approached the department, but they refused to issue an offer letter or appointment order. Therefore, he has requested the intervention of Ombudsman's institution for resolving his problem.

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 submission of copy of CNIC and Affidavit on Form 'A'.

3. The matter was taken up with the Administrative Department and the concerned District Education Officer (DEO). In response, the DEO Keamari, vide letter No. DEO/ES&HS/KEAMARI/KARACHI/(2178-2180)/2024 dated October 07, 2024, submitted a detailed report wherein, he stated that, in accordance with the procedures outlined in paragraphs 13-15 of the Recruitment Policy 2021, District Selection Committee (DSC) at the district level was constituted. This committee serves as the sole authority for scrutinizing the documents of candidates selected through Sukkur IBA under the aforementioned Recruitment Policy 2021.

4. He further stated that during scrutiny of the documents of the incumbent, it was observed that the candidate Mr. Asad Mehmood, son of Muhammad Rafiullah, secured 43 marks for the post of Primary School Teacher (PST) in the test conducted by Sukkur IBA. It was noted that the first digit of his CNIC indicated his residence in another province (Punjab). Additionally, he holds a domicile certificate No. MWI-II-205-16 dated November 11, 2015, issued by the Deputy Commissioner Mianwali, Punjab, in addition to another domicile certificate No. DW/500/2020 dated January 14, 2020, issued by the Deputy Commissioner, Karachi West.

5. Agency further submitted that the mandatory condition demands surrender of his previous domicile issued from Punjab in order to obtain a domicile and Permanent Residence Certificate (PRC-D) for Sindh province. Holding two domiciles from different provinces simultaneously constitutes a clear violation of the Citizenship Act of 1951. Following his appearance before the District Selection Committee, the candidate got his previous domicile cancelled on November 21, 2021.

6. The District Education Officer also cited the following subclause 2 of the Recruitment Policy 2021, which explicitly states:

“Only those candidates shall be considered for appointment who possess the minimum academic and professional qualifications prescribed for the post, along with domicile, PRC-D, and CNIC, prior to the closing/cut-off date. Academic and professional qualifications, domicile, PRC-D, and CNIC acquired after the cut-off date will not be considered. If any candidate is inadvertently allowed to appear in the written test and qualifies, their candidature will not be considered for recruitment.”

FINDINGS:

6. After reviewing the complaint filed by Mr. Khalid Mehmood regarding his brother, Mr. Asad Mehmood, following key issues required attention:

- (i) Mr. Asad Mehmood successfully passed the Sukkur IBA test for the position of Primary School Teacher (PST). The District Selection Committee (DSC) noted discrepancies in documentation, particularly his CNIC and domicile certificates.

- (ii) Mr. Asad Mehmood held two domicile certificates—one from Punjab and another from Sindh—which violate the Citizenship Act of 1951 and the Recruitment Policy 2021. Although he canceled his Punjab domicile on November 21, 2021, the timing and adherence to procedural requirements were critical in determining his eligibility.
- (iii) The refusal to issue an appointment order is in line with the Recruitment Policy, and as per policy candidates must meet all the requirements, including the domicile certificate by the cut-off date.
- (iv) No maladministration has been found against the agency, as the complainant was ineligible due to his dual domicile status. Mr. Asad Mehmood obtained his Sindh domicile after the cut-off date.

DECISION

7. In view of the above, no maladministration has been established against the agency, the complaint is disposed of and consigned to record as rejected.

Given under my hand and seal of office.

(MUHAMMAD SOHAIL RAJPUT)
Sitara-e- Imtiaz : PAS
Ombudsman, Sindh
Karachi, dated: 18 November, 2024