



DECISION

Complaint No. : POS/4702/2024/RM-148

Name and address of the complainant : Mr. Maqsood Ahmed s/o. Muhammad Shafi
Through Attorney, Mr. Khawar Anjum, R/o. Main Road,
Tando Jan Muhammad, District Mirpurkhas.

Name of the Agency Complained against : Deputy Commissioner, Badin.

Name & Designation of Investigating Officer : Mr. Zulfiqar Ali Junejo, T.I
Consultant/Regional Director, Mirpurkhas.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : COMPLAINT AGAINST MUKHTIARKAR BADIN
ALLEGING FAILURE TO MUTATE FOTI-KHATA OF LAND
LEFT BY DECEASED FATHER OF THE COMPLAINANT.

Complaint

Mr. Maqsood Ahmed filed a complaint dated 09.10.2024 through his attorney Khawar Anjum wherein he stated that his late father, Muhammad Shafi was allotted agricultural land admeasuring 62-00 acres in deh-Kak,, Taluka Badin. He approached Deputy Commissioner, Badin for mutation of foti-khata of land in favour of legal heirs but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The complaint was admitted under section 10 of Establishment of the office of Ombudsman for the Province of Sindh Act 1991 (amended up to date) after receiving mandatory affidavit on Form-A, copy of CNIC and by condoning the delay.
3. This office issued a notice dated 23.10.2024 to the Deputy Commissioner Badin for report, followed by a reminder. The Adl. Deputy Commissioner-I, Badin informed vide letter dated 03.03.2025 that the late father of the complainant, Subedar Muhammad Shafi was allotted agricultural land, admeasuring 62-12 acres in block No.51/1, Deh-Kak, Taluka Badin in the year 1976-77 under Defence Zamindari Conditions. The grantee had paid 08 installments only. The T.O. Form was not issued by the Barrage authorities and no entry exists in the Record of Rights. Hence, no further action can be taken on the request of the complainant. The ADC-I Badin also referred the orders dated 28.11.2012 passed by the Hon'ble Supreme Court of Pakistan in Suo Moto case No.16 of 2011. The operating para of the order is reproduced as under:

"We hereby, until further orders restrain the Government/Revenue Department from mutation, allotment, transfer and/or conversion of any state land and or keeping any transaction or entry in the record of rights in this regard in revenue record of Sindh or till the entire revenue record in Sindh is reconstructed. The conversion of lease for 30 years or of any term upto 99 years shall also be stopped immediately as by this mode the state land is being sold out at a throwaway price without participation of public at large, which the law does not permit. Any further conversion or mutation of state land in the record of rights from today onwards would be deemed nullity and would expose the Deputy Commissioner/DCO of the relevant districts/dehs besides others to contempt proceedings."

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4. A copy of the agency's report was sent to the complainant for rejoinder vide letter dated 04.07.2023, followed by a reminder and telephonic contact on his given number 0300-3311467 but he did not respond.

Decision

5. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the Office of Ombudsman for the Province of Sindh, Act 1991 (amended up to date), the complaint is disposed of due to non-prosecution, in terms of Regulation 21(d) of Investigation and Disposal of complaints Regulation 2024 of the Ombudsman Act.

Given under my hand and seal of the office



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

Karachi, dated 4th June, 2025

