



## DECISION

Complaint No.	:	POS/KR-67/2025
Name and address of the complainant	:	Mst. Rehana Akhtar, R/o. House No. 105, Block-3, Shah Faisal Colony, Karachi
Name of the Agency Complained against	:	i. Sindh Building Control Authority (SBCA) ii Town Municipal Corporation (TMC), Shah Faisal Town
Name & Designation of Investigating Officer	:	Mr. Muhammad Shoaib Ahmed Siddiqui, Advisor-in-Charge, R.O Korangi
Vetted by	:	Mr. Ghulam Abid Shaikh, Advisor-K
Subject	:	<b><u>ALLEGED INACTION ON COMPLAINTS REGARDING UNAUTHORIZED OPERATION OF "AL-WARIS MARRIAGE HALL" IN RESIDENTIAL PROPERTY BEARING HOUSE NO.104, BLOCK-3, SHAH FAISAL COLONY.</u></b>

### COMPLAINT

Mst. Rehana Akhtar lodged a complaint on 24.04.2025 against the Sindh Building Control Authority (SBCA), local administration, and police authorities, alleging their failure to act upon repeated complaints made by her. She reported that the owner of House No. 104, Block 3, Shah Faisal Colony had been operating "Al-Waris Marriage Hall" in a residential area, thereby causing considerable nuisance to neighbors and residents.

2. The complainant further stated that staff members of the marriage hall had repeatedly entered her home without consent, infringing on her privacy. Moreover, she reported the theft of household items, including a water pump and a generator battery. Despite lodging complaints with the local police, no effective action was taken to address the situation.

### PROCEEDINGS

3. The complaint was referred to relevant authorities for their comments. In response, the Municipal Commissioner, TMC Shah Faisal, vide letter dated 27.05.2025, confirmed that a marriage hall was indeed being operated on Plot No.105 (adjacent to the address mentioned by the complainant). It was further clarified that no "No Objection Certificate (NOC)" had been issued by TMC for such commercial use of the property. The Municipal Commissioner also stated that the Sindh Building Control Authority holds the mandate to take further action as the competent authority responsible for the approval and enforcement of building regulations concerning residential and commercial properties.
4. The case was subsequently listed for hearings on 08.07.2025, 16.07.2025, and 06.08.2025. These proceedings were attended by representatives of SBCA, the Assistant Commissioner Shah Faisal, SHO, PS Shah Faisal, the Deputy Director (LT&R), TMC Shah Faisal, and the complainant. During these hearings, officials confirmed that notices had been issued to the

property owner, directing the removal of unauthorized construction and commercial signage, and to immediately cease commercial operations. The officials further stated that non-compliance would result in an enforcement operation.

5. At the hearing held on 06.08.2025, it was reported that the property owner had failed to comply with the directives, and as a result, the premises had been sealed to prevent further unlawful activity. The authorities were directed to conduct a joint inspection of the site and proceed with necessary action under the law, with a follow-up report to be submitted by 13.08.2025.
6. Subsequently, the Director SBCA, Korangi, vide letter dated: 12.08.2025, confirmed that during an operation carried out on 11.08.2025, all unauthorized installations and additional construction were removed from Plot No.105.

#### FINDINGS

7. Based on the record and proceedings, it is established that unauthorized commercial activity was being carried out at House No.104, Block 3, Shah Faisal Colony, under the name ‘Al-Waris Marriage Hall’, in clear violation of applicable residential zoning and land use regulations.
8. The operation of the marriage hall caused serious disturbance to nearby residents and compromised the complainant's right to privacy. The reports of unauthorized entry by staff members and incidents of theft underscore the gravity of the nuisance caused.
9. The initial failure of the concerned authorities, including SBCA, TMC Shah Faisal, and local police, to respond adequately allowed the illegal activity to continue for a prolonged period. It was only after the formal hearings that coordinated action was taken by the departments concerned.
10. The eventual removal of unauthorized structures and sealing of the premises on 11.08.2025 demonstrates that the commercial use of the property was unlawful, lacking any legal sanction or NOC from the competent authorities.

#### DECISION

11. In view of the completion of remedial action, the complaint is hereby disposed of as redressed. **However, 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*, I hereby direct that the Director, Sindh Building Control Authority (SBCA), District Korangi, and the Municipal Commissioner, Town Municipal Corporation (TMC) Shah Faisal, to ensure that no commercial activity is resumed at the subject premises. Regular monitoring and strict enforcement must be carried out to prevent any future violations. Furthermore, they are directed to initiate an internal departmental review to identify any lapses and hold accountable the officials responsible for the initial inaction.**

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12. Additionally, the Station House Officer (SHO) of Police Station Shah Faisal is instructed to remain alert to ensure that the complainant is not subjected to any form of retaliation or harassment and must respond promptly to any further complaints lodged by her.
13. A compliance report confirming that no commercial activity has resumed at the site is to be submitted by the SBCA and TMC Shah Faisal within thirty (30) days.

*Given under my hand and seal of office*

