



## **DECISION**

**Complaint No.** : POS/2867/2022/HYD/183

**Name and address of the complainant** : Mr. Wali Muhammad s/o Abdul Hakeem  
R/o Village Sono Khan Almani, P.O Sangar, Taluka & District Tando Muhammad Khan.

**Name of the Agency Complained against** : Assistant Commissioner, Tando Ghulam Hyder,  
District Tando Muhammad Khan

**Name & Designation of Investigating Officer** : Abdul Wahab Memon, Consultant / Regional Director,  
Regional Office, Hyderabad.

**Vetted by** : Muhammad Naseer Jamali, Advisor-N

**Subject** : COMPLAINT AGAINST MUKHTIARKAR, TANDO GHULAM HYDER ALLEGING FAILURE TO CHANGE FOTI-KHATA OF LAND LEFT BY FATHER OF THE COMPLAINANT

### **Complaint**

Mr. Wali Muhammad filed a complaint dated 11.05.2022 wherein he stated that his late father, Abdul Hakeem was owner and khatedar of S.Nos: 44, 45, 151, of Deh Dauki, measuring 18-26 acres. His father has expired on 15.03.2006. He approached the Mukhtiarkar, Tando Ghulam Hyder for mutation of foti-khata of land left by his deceased father but to no avail. Aggrieved by that, he solicited intervention of this Institution.

### **Proceedings**

2. The case was admitted for investigation u/s 10 (3) of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) after receiving mandatory Affidavit on Form "A" and other relevant documents and by condoning the delay.

3. This office issued notice dated 22.06.2022 to the Assistant Commissioner and Mukhtiarkar, Taluka Tando Ghulam Hyder for report. The Assistant Mukhtiarkar, Taluka Tando Ghulam Hyder appeared before Investigating Officer Hyderabad on 03.10.2022 and submitted report dated 30.09.2022 wherein he stated that S.Nos: 44, 45 and 151 of Deh Dauki were granted on Harap right to the complainant's father in the year 1960-61 vide "A" Form No: 1039 from Barrage Department. Subsequently, another entry No: 120 dated 10.11.1998 existed in V.F-VII-B where S.No: 45 of Deh Dauki was granted to Ali Madad s/o Usman and Dodo s/o Shah Bux Laghari in equal share on Harap right on the basis of "A" Form No: 3153 dated 21.08.1993 by Barrage Department. There is double allotment of S.No.45 of Deh Dauki and Mukhtiarkar (Estate) Tando Muhammad Khan will be in better position to clarify in this regard.

4. This office issued a notice dated 08.11.2022 to the Mukhtiarkar (Estate) Tando Muhammad Khan for report, who in response submitted report as under:



(2)

(i) According to this office record S.Nos: 44, 45 and 151 of Deh Dauki Taluka Tando Ghulam Hyder were granted to Abdul Hakeem s/o Wali Muhammad Almani in Harap conditions from Kharif 1960-61 as per A-Form No: 2420/132/1039 on the basis of payments in 20 installments.

(ii) Later-on, the grantee failed to pay installments on due date, hence, his grant was cancelled on account of non-payment by the defunct Revenue Officer, Kotri Barrage Hyderabad vide Order No: 8098 dated 18.11.1981 and such note was recorded on the body of A-Form.

(iii) After cancellation of the grant, the S.No: 151, area 03-20 acres was granted to Muhammad Uris s/o Misri Leghari on harap conditions from the year Kharif 1993-94 as per A-Form No: 10505. The S.No. 44, area 8-35 acres was granted to Ghulam-shah s/o Abdul Wahid and Ghulam Qadir s/o Muhammad Bux on harap conditions from the year kharif 1993-94 as per A-Form No: H/12292 whereas no record of S.No: 45 is available in his office. The record was burnt on 27.12.2007 in the wake of assassination of Mohtarma Benazir Bhutto. However, the father of the complainant did not own any land after cancellation of his Harap grant in 1981.

5. The agency's report was sent to the complainant for rejoinder vide office letter dated 07.03.2023 followed by multiple reminders but he did not respond.

**Decision**

6. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the office of the Ombudsman for the Province of Sindh Act, 1991 (amended upto date), the complaint is disposed of on account of non-prosecution.

**Given under my hand and seal of the office**



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

**Karachi, dated 13<sup>th</sup> January, 2025**