



DECISION

Complaint No. : POS/313/2022/06/KHS

Name and address of the complainant : M/s Nawab Khan Mondra & Abdul Razzaque Moondra, President, Anjuman Moondra Saakh Pota Jamaat, Bakra Piri, Lyari, Karachi.

Name of the Agency Complained against : Director of Industries.

Name & Designation of Investigating Officer : Syed Maqsood Haider, Director, Regional Office, Karachi (South)

Vetted by : Mr. Shahid Ahmed Hashmi - Consultant-Legal.

Subject : **COMPLAINT AGAINST ASSISTANT REGISTRAR, JOINT STOCK COMPANIES FOR CANCELTION REGISTRATION OF THE COMPLAINANTS' ASSOCIATION WITHOUT ANY NOTICE TO FAVOUR HIS OPPONENT'S' TO REGISTER THEIR ASSOCIATION UNDER THE SAME TITLE AND NAME.**

THE COMPLAINT:

M/s. Nawab Khan Moondra & Master Abdul Razzaque Moondra, President & Secretary General of **Anjuman Moondra (Saakh Pota)** Bakra Piri, Lyari, Karachi filed a complaint on 19-01-2022, stating that his Anjuman was established in 1971 and got registered with the agency on 22-11-1986. Its registration was cancelled on 09.11.2021 without any notice. Their applications submitted to the agency failed response. In the meanwhile, their opponents M/s Shabbir Alam and Ghulam Ali, havng no association with the Association have managed to obtain NOC from Home Department, Government of Sindh for formation of new Association under the same title and name.

PROCEEDINGS:

2. The complaint was referred to respective Agency. The Provincial Assistant Registrar, Joint Stock Companies, Sindh, Karachi vide letter dated 21-02-2022 reported that Saakh-Pota Moondra Jamat was initially registered under KAR No. 0485 of 1986 on 22-01-1986, with condition to conduct election annually as per Clause 8 of its Articles of Association. The report reads that the last Intimation Certificate in respect of elected managing committee for the year 2002 was issued /authenticated on 29.04.2002. Thereafter, the complainant and his other colleagues / office bearers failed to submit the Intimation documents for last seventeen (17) years, making their Jamaat dormant, leading to cancellation of registration.

3. The Department further submitted that in line with policy decision, through multiple notices published in leading newspapers on 14th & 15th June 2019, 18th & 19th July 2019, and a final notice on 28th August 2019, all Non-Profit Organizations (NPOs) registered under the Societies Registration Act, 1860 were directed to renew their registration within a specified time. Following the Direction of the Services, General Administration and Coordination Department (SGA&CD), vide its letter No.SO(C-IV) SGA&CD/Minutes/2019, dated 05-11-2019, the non-compliant Associations (NPOs) including the complainants' Association were deregistered by the department vide orders No. PAR/KAR/REG/2019/06-09 dated 24-12-2019 and No. PAR/KAR/REGN/2019/02-05, dated 26-12-2019.

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4. The report reads about applications dated 27.10.2021 and 06.12.2021, submitted by the complainants against opponents Mr. Shabbir Alam, alleging misappropriation of funds on their parts, while requesting not to register any Society or Jamaat on behalf of Mr. Shabbir Alam.. After reviewing the matter, the Assistant Registrar found no illegality or irregularity on the part of the department, instead he found the dispute in between the complainant and Mr. Shabbir Alam. The report contends that based on No Objection Certificate (NOC) issued by Home Department, Government of Sindh, a new entity under the name *Moondra Jamat (Ishaq Pota)*, located at Moondra Muhallah, Madina Street, Lyari, Karachi, was registered on 19.01.2022 vide Registration No. KAR No.037 of 2021-22.

5. The Complainant through his rejoinder dated 21-03-2022 sought intervention of this office for suspension of the process of the registration of new association. The complainants were of the view that they had sufficient documentary evidences against the office bearers of the newly registered association, supporting cancellation of registration.

FINDINGS:

6. Record examined. Parties heard. Conclude the matter as follows:
- A registered association is under lawful obligation to follow the by-laws and directions of concerned agency, governing the registration;
 - The law necessitates submission of annual list of office bearers before the Registrar. The complainants failed to submit required lists for the past 17 years, effectively rendering the association dormant;
 - Non submission of annual list of office bearers of the association caused cancellation of registration, especially in the background of public notices published in leading newspapers;
 - The request for registration of association under the auspices of Shabbir Alam was processed by the agency on the basis of NOC issued by the Home department;
 - The allegations of misappropriation and moral turpitude against newly office bearers attribute civil nature of disputes that can only be examined / resolved by a competent court of law, after examining of documents and recording evidences.

DECISION

7. Given the forgoing, the complaint is, therefore, disposed of and consigned to record.

Given under my hand and seal of office



Sd /-
MUHAMMAD SOHAIL RAJPUT
SITARA-E-IMTIAZ. PAS
OMBUDSMAN SINDH
Karachi, Dated 06th May, 2025