



DECISION

Complaint No. : POS/8689/2023/KM/KW

Name and address of the complainant : Mst. Noor Jahan w/o Mushtaque Ali, House No. 1697, Sector 15-D, Mustafa Nagar, Thorani Goth, Orangi Town, Karachi.

Name of the Agency Complained against : Karachi Metropolitan Corporation (KMC)
Deputy Commissioner, Karachi-West

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

Vetted by : Mr. Rafiuzzaman Siddiqui,
Advisor-B

Subject : **COMPLAINT AGAINST NON-PAYMENT OF COMPENSATION FOR THE DEMOLITION OF THE COMPLAINANT'S HOUSE TO COMPLETE THE EXPANSION OF ORANGI NALA.**

COMPLAINT

Mst. Noor Jahan filed a complaint on 27.10.2023, stating that her house was demolished for the restoration of the Orangi Nala Project and she was entitled to get compensation for it. She approached the relevant officials at KMC for compensation of the demolished house, but to no avail. Being aggrieved by this situation, she sought the intervention of this institution.

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 mandatory Affidavit on Form 'A'.
3. In the meantime, the following similar complainants were also admitted after the submission of the mandatory documents for investigation:

Sr.	Complaint No.	Name of the Complainant
1	POS/7831/2023/KM/KW	Mr. Muhammad Anwar Ali
2	POS/8054/2023/KM/KW	Mst. Noor Jahan wd/o Jamshed Ali
3	POS/8569/2023/KM/KW	Mr. Jeelani
4	POS/7810/2023/KM/KW	Mr. Anwari Begum & Others
5	POS/7808/2023/KM/KW	Mr. Shakoor Ahmed
6	POS/7811/2023/KM/KW	Mr. Abdul Raheem & Mehfooza Khatoon
7	POS/7809/2023/KM/KW	Mst. Asia Khatoon & Others
8	POS/8554/2023/KM/KW	Mairaj Nabi
9	POS/7416/2023/KM/KW	Mst. Bilqees
10	POS/1029/2023/KM/KW	Mr. Muhammad Sharfuddin

4. The matter was taken up with the Deputy Commissioner, Karachi West and the Project Director, Orangi Township, KMC, for report. In response, the Senior Director of Katchi Abadies, KMC, informed via letter dated 30.11.2023 that the approval of compensation for removal of encroachments over Mehmoodabad, Gujjar Nala and Orangi Nala is contingent upon the recommendations of the concerned Assistant Commissioner. He further noted that the number of 6,932 locally displaced persons (LDPs) has been identified and list containing their details have been provided to Honorable Supreme Court of Pakistan. The disbursement of support for payment of rent to these affectees is also assigned to the Commissioner, Karachi. Cheques in this regard will be issued from the office of the Deputy Commissioner, Karachi (South), under the supervision of the Commissioner's office. Affected individuals may file their grievances with the Additional Commissioner-II/Focal Person in the event of non payment to them.

5. The Mukhtiarkar (Revenue) Mominabad Sub-Division, Karachi West, submitted a report dated 16.04.2024, along with a copy of the minutes from the 4th meeting of the Provincial Coordination and Implementation Committee (PCIC) of the Planning & Development Department wherein it was decided that the houses affected by less than 30% will not receive any compensation. A physical survey of the demolished houses was conducted by a committee, which reported that the complainant's house was affected, but by less than 30%. Hence, she is not eligible for compensation, as determined by the competent forum.

6. The Assistant Commissioner vide his letter dated May 7, 2024, informed that the Honorable Supreme Court of Pakistan, Karachi Registry, had issued an order on April 25, 2024, concerning the petition of the affected individual. The operative portion of the order is reproduced below:

The learned Advocate General Sindh (The AG) states that the Government of Sindh stands by its commitment to allot 80 square yards plots to the affectees and that 6,932 affectees had been identified. However, if any family whose house was demolished has not been included may submit their claim, with supporting documents and photographs, if any, to the Commissioner's Focal Person, Ms. Zunaira Jalil, Additional Commissioner-II, Karachi. He further states that since the matter needs to be finalized all such claims should be filed within one month. Those who submit claims must be informed of the decision whether their claim has been accepted or rejected.

7. The Assistant Commissioner, further reported that Ombudsman Office may be requested to advise the complainants to approach office of the Commissioner, Karachi Division, to submit their claims along with supporting documents and photographs for verification by the relevant department. This measure aims to ensure a timely resolution in compliance with the orders of the Honorable Supreme Court.

REJOINDER

8. Accordingly, complainants have been advised to submit their supporting documents along with photographs to the office of the Commissioner, Karachi Division, for necessary action as per the order of the Honorable Supreme Court. In response, all the complainants have submitted their rejoinders, wherein they thanked Ombudsman's Office for processing their cases and requested for early resolution of their problems.

FINDINGS

9. The Registrar of this Secretariat has also forwarded the report of Assistant Commissioner (Revenue) to all the Regional Directors for necessary action accordingly. This process aims to ensure a timely action in compliance with the orders of the Honorable Supreme Court.

DECISION

10. In the light of the above, the complainants have been directed to approach the Office of the Commissioner, Karachi for resolution of their grievance as per orders of the Hon'ble Supreme Court of Pakistan. No further action is required by this office on these complaints and these are hereby consigned to record.

Given under my hand and seal of office.



- Sd \-

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz. PAS

Ombudsman, Sindh

Karachi, dated:

09-12-2024