



DECISION

Complaint No. : POS/580/2023/HYD/58

Name and address of the complainant : Mr. Shahid Khan s/o Sabir Khan
R/o H.No E/28-2245, Muhalla Mukhti Lane, Shahi Bazar
Hyderabad.

Name of the Agency Complained against : Regional Director, Sindh Building Control Authority,
Hyderabad.

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

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

Subject : **COMPLAINT AGAINST SINDH BUILDING CONTROL
AUTHORITY HYDERABAD ALLEGING CONSTRUCTION
OF COMMERCIAL BUILDING WITHOUT PROVISION OF
SPACE FOR CAR PARKING**

Complaint

Mr. Shahid Khan filed a complaint dated 12.01.2023 wherein he stated that a builder is constructing a high rise building on plot Nos. E/2315 and E/2317 without parking space which may create serious problem for the neighbours. He approached the SBCA Hyderabad in this regard 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 a notice dated 02.02.2023 to the Regional Director, Sindh Building Control Authority, Hyderabad for report. In response, the Deputy Director, Taluka City SBCA Hyderabad informed vide letter dated 22.02.2023 that the building plan has been approved by the SBCA as a private commercial project on plots admeasuring 179.5 sq yards (not as a public sale project) under RIB & TPR-2018 policy. He referred the relevant provision of RIB & TPR policy as under:

24-6 Exemption from Provision of Parking Space.

The following types of buildings/plots shall be exempted from provision of car parking space within the premises.

24-6.1 Commercial/residential cum commercial plots of 400 sq.yds upto Gr+5 in old city areas.

4. The copy of agency's report was sent to the complainant for rejoinder vide letter dated 07.03.2023, who in response informed vide letter dated 06.04.2023 that the plot owner of E/2316 has provided parking space but the builder of plot No.E/2315 failed to provide any parking space. However, he could not produce any legal document in the rebuttal of law and policy of Sindh Building Control Authority.

(2)

5. The rejoinder of the complainant was sent to the Deputy Director, Taluka City SBCA Hyderabad for comments vide letter dated 28.09.2023, who in response informed vide letter dated 04.10.2023 that the SBCA has approved the building plan which is exempted from parking space under the provision of SBCO-1997/82 & RIB & TPR-2018. The copy of this report was sent to the complainant for rejoinder vide letter dated 01.11.2023, followed by multiple reminders but he did not respond.

Findings

6. The investigation of the complaint did not establish maladministration against the agency as the building plan has been approved by the agency as per law.

Decision

7. 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 as rejected.

Given under my hand and seal of the office



Sd /-

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

Karachi, dated 16th April, 2025

