



DECISION

Complaint No.: POS/16/2024/KC/F-178

Name and address of the complainant : Mr. Naeemuddin, Advocate High Court, Flat No.A-401, 4th Floor, Waseem Heights, Phase-II, Plot No. BS-06, Block-13, Federal B. Area, Karachi.

Name of the Agency Complained against : 1) Sindh Building Control Authority (SBCA)
2) Environmental Protection Agency (EPA)

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F.

Subject :- **COMPLAINT AGAINST M/S. SANYO (SANIA) EMBROIDERY AND OTHER FACTORIES LOCATED IN RESIDENTIAL AREA BEHIND SIR SYED AHMED KHAN PARK, BLOCK-13, F.B. AREA, KARACHI FOR CAUSING NUISANCE FOR THE RESIDENTS OF THE AREA.**

THE COMPLAINT:

Mr. Naeemuddin Rajput, Advocate filed a complaint dated 02.05.2024. It inter-alia states that M/s. Sanyo Embroidery located at Plot No.WSA-09, Block-13, F.B. Area, Karachi, behind Sir Syed Ahmed Khan Park, is causing public nuisance/pollution by violating the relevant laws such as Building's Laws, Labor Laws/Industrial Rules, Environmental Laws etc. due to which lives of people, including the complainant and his family members, living in the area is being adversely affected. He alleged that the owner of the factory, acting in connivance with concerned Government departments is responsible for this nuisance as the factory operates round the clock and disturbs life of inhabitants of the area.

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).
- 3) Complainant and Respondent namely Mr. Muzaffar-ul-Islam, Assistant Director Labour, Central Division, Government of Sindh attended the hearings. The Respondent was directed to take necessary action for the redressal of public grievance. In his written statement the Respondent stated that he has visited the factory. The owner of the factory has committed that he would vacate the premises within 06 months. Moreover factory owner has also committed to atleast shift the upper floor covered by tin sheets which has been illegally constructed.

- 4) The complainant expressed satisfaction on the report given by the Assistant Director of the Labour Department.

FINDINGS:

- 5) The Sindh Building Control Authority (SBCA) was also found to be negligent/complicit in allowing illegal construction of factory.

DECISION:

- 6) I, 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 (amended up to date), hereby direct the following:-

- (i) The Secretary, Labour Department, Government of Sindh to ensure implementation of the commitments as recorded in the statement of the Representative of Labour Department that:

- (a) The factory owner will vacate the premises within 06 months;
(b) The factory owner will atleast shift the top illegal floor of the factory within 02 months.

- (ii) The Secretary, Labour Department, Government of Sindh also to ensure the observance of Labour Laws with respect to factory timings;

- (iii) The Director General, Sindh Building Control Authority shall take required necessary action against the violation of Sindh Building Control Authority Law/Rules.

- 7) In view of above, complaint stands disposed of accordingly.

Given under my hand and seal of office



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

Karachi, dated 18th November, 2024