



DECISION

Complaint No. : POS/1543/2024/RM-36

Name and address of the complainant : Mr. Nizakat Ali,
R/o. Mir Allah Bachayo Colony,
Mirpurkhas.

Name of the Agency Complained against : Executive Engineer Irrigation, Jamrao Division Mirpurkhas

Name & Designation of Investigating Officer : Mr. Zulfiqar Ali Junejo, T.I
Consultant/Regional Director, Mirpurkhas.

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

Subject : COMPLAINT AGAINST EXECUTIVE ENGINEER
IRRIGATION ALLEGING NON-RESTORATION OF WC-
12/TL, EX-JARWAR MINOR AT SANCTIONED
ALIGNMENT/PLACE

Complaint

Mr. Nizakat Ali filed a complaint dated 14.03.2024 wherein he stated that he is owner of agriculture land, admeasuring 07-12 acres; situated on the command area of Water Course 12-TL ex-Jarwar minor which is not flowing at sanctioned place. He approached Executive Engineer Irrigation Jamrao Division to restore the alignment of Water Course 12-TL ex-Jarwar minor at approved place but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The complaint was admitted under section 10 of Establishment of the office of Ombudsman for the Province of Sindh Act 1991 (amended up to date) after receiving mandatory affidavit on Form-A, copy of CNIC and by condoning the delay.
3. This office issued a notice dated 08.04.2024 to the Executive Engineer, Irrigation, Jamrao Division Mirpurkhas for report. The Assistant Engineer, Mirpurkhas Sub Division-II, submitted report vide letter dated 26.06.2024 that the Water Course 12-TL, ex-Jarwar minor is flowing at proper place from block Nos.103, 104, 105, 106, 107 and 108 southern side at its original location.
4. A copy of the agency's report was sent to the complainant for rejoinder vide letter dated 26.06.2024, who in response informed vide letter dated 11.07.2024 that the actual alignment of Water Course 12-TL ex-Jarwar minor has been encroached due to construction of houses/housing society.
5. This office issued a notice dated 07.08.2024 to the Mukhtiarkar, Mirpurkhas to visit site alongwith the Assistant Engineer Irrigation and submit site report alongwith map of WC-12/TL, ex-Jarwar minor who in response informed vide letter 25.09.2024 that as per deh map, the WC-12/TL's route is shown at northern side of block numbers i.e. 103, 104, 105, 101, 107, 108 but at site, while it is running on southern side.

6. The report of the Mukhtiarkar Mirpurkhas was sent to the Executive Engineer Irrigation, Jamrao Division for report vide letter dated 27.09.2024, who in response informed vide letter dated 16.10.2024 that the complainant should approach Director Irrigation, Nara Canal for change of alignment being competent authority.

7. The Regional Director, Regional Office, Mirpurkhas visited the site on 06.01.2025 in the presence of the parties and it was found that the WC-12/TL, ex-Jarwar minor was flowing from said survey numbers around the private housing societies.

Findings

8. The investigation of the complaint and site inspection revealed that;

- (i) Water Course 12-TL is not running at site as per deh map which is authentic document.
- (ii) Water Course 12-TL has been silted at various places due to development of private housing societies but the Irrigation Department failed to safe guard the route of Water Course at proper location

Decision

9. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the Office of Ombudsman for the Province of Sindh, Act 1991 (amended up to date), I, hereby direct the Director, Nara Canal Area Water Board, Mirpurkhas to ensure that the alignment of WC-12/TL, ex-Jarwar minor is restored at the sanctioned location under intimation to this office within 60 days.

Given under my hand and seal of the office



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

Karachi, dated 4th August, 2025