



DECISION

Complaint No. : POS/3085/2023/HYD/205

Name and address of the complainant : Mr. Fareed Ahmed,
R/o. H.No.83, Block-A, Bismillah
Town, Near Pakola Factory, Site Karachi.

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

Name & Designation of Investigating Officer : Syed Muhammad Sajjad Hyder, Regional Director,
Regional Office, Hyderabad.

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

Subject : COMPLAINT REGARDING ILLEGAL CONSTRUCTION OF
A ROOM WITH BATHROOM ON 3RD FLOOR OF PLOT
NO.82, BLOCK-A, BISMILLAH TOWN, HYDERABAD

Complaint

Mr. Fareed Ahmed filed a complaint dated 06.04.2023, stating therein that he owns the House No.83, Block-A, Bismillah Town Housing Scheme near Pakola factory, Latifabad Hyderabad. His neighbor, the owner of plot No.82 has raised illegal commercial construction upto 3rd and 4th floor without approval of building plan which is affecting his easement right. He approached the Regional Director, SBICA, Hyderabad for taking legal action but to no avail. Being aggrieved, he solicited intervention of this Institution.

Proceedings

2. The complaint 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, relevant documents and by condoning the delay.
3. This office issued a notice dated 17.05.2023 to the Regional Director, Sindh Building Control Authority, Hyderabad for report. In response, the Deputy Director, SBICA, Taluka Latifabad, Hyderabad vide letter dated 30.05.2023 informed as under:
 - a. That the owner of plot No.82, Mrs. Najam-ul-Nisa was allowed approval for construction of Ground+1 storied building plan vide permission No. G-25 dated 08.08.2016
 - b. Subsequently, the next owner of same plot named Mr. Israr Ali was allowed completion plan of G+2 storied residential building vide permission No. G-34 dated 02.05.2023.
4. A copy of the agency's report was sent to the complainant for rejoinder who in response agitated about illegal construction on 3rd floor of plot No.82.
5. In order to resolve the matter, the case was heard on 12.07.2023 and 07.09.2023. The Deputy Director, SBICA informed that he had visited the site and found that ground + 2 storied residential building is constructed as per approved completion plan and there is one store room constructed at roof of 2nd floor. The allegations leveled regarding ground + 3 stories is false and fabricated. He enclosed the photographs of the building also.

(2)

Site Visit

6. In order to confirm on ground position, the site was visited by the Investigating Officer Hyderabad on 13.03.2024 in the presence of Assistant Director, SBCA, the complainant and owner of house No.82. It was found that Ground +02 storied residential building was constructed at site as per building completion plan and there was one room with attached bath constructed on roof of 2nd floor, which was constructed without approval / permission of SBCA. Moreover, subsequently the complainant sent a letter dated 09.04.2024 to withdraw his complaint.

Findings

7. I have examined the case and found that a room alongwith attached bath has been constructed by the owner on 3rd floor in violation of approved building plan. Although the complainant has requested to withdraw his complaint, yet the violation of approved building plan cannot be disregarded. The Sindh Building Control Authority should take action for removal of illegal constructed room on 3rd floor of the plot.

Decision

8. 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), I, hereby direct the Regional Director, Sindh Building Control Authority, Hyderabad to take action for removal of illegal structure built without lawful permission or approval as pointed out by the Deputy Director, SBCA, Taluka Latifabad, strictly in accordance with the Sindh Building Control Ordinance 1979, for maintaining building standards and ensuring public safety.

9. Compliance report should be submitted within 45 days hereof.

Given under my hand and seal of the office



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

Karachi dated **15th** August, 2025