



DECISION

Complaint No. : POS/8913/2023/HYD/531

Name and address of the complainant : Mr. Muhammad Wahaj Khan
R/o H.No: 407, Block-B, Unit No: 02, Latifabad, Hyderabad.

Name of the Agency Complained against : Regional Director, Inspection & Registration of Private Institutions, Hyderabad Region, 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 ACCA SCHOOL MANAGEMENT ON FAILURE TO RETURN THE AMOUNT OF SECURITY DEPOSIT TO THE COMPLAINANT

Complaint

Mr. Muhammad Wahaj Khan filed a complaint dated 12.10.2023 wherein he stated that his kids were studying at ACCA School System Latifabad Hyderabad. He had paid security deposit, amounting to Rs.200,000/- to the school. He had filed an application dated 05.01.2020 to the school management for return of his security deposit and school administration assured to return it back by 30.05.2021 due to their financial constraints. He approached the Principal of the school for refund of security deposit as per his commitment but the same was being delayed due to one or other reason. Aggrieved by that, 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) subject to submission of mandatory Affidavit on Form "A" and other relevant documents and by condoning delay.
3. This office issued notice dated 12.12.2023 to the Deputy Director, Directorate of Inspection & Registration of Private Institutions, Hyderabad Region and the Principal, ACCA School System for report. The Principal ACCA School System Latifabad Hyderabad informed that the school management is ready to settle the claim of the complainant before Investigating Officer Hyderabad. The case was heard on 21.12.2023 and 02.01.2024, attended by the Deputy Director, Private School, Principal, ACCA School System and the complainant. It was resolved by the parties that school management will clear outstanding dues through installments @ of Rs.27,500/- per month through cheques against the agreed amount of Rs.165,000/- as full and final payment.
4. The Principal, ACCA School System vide letter dated 16.01.2024 informed that due to financial constraints, the school management cannot refund the settled amount through installments as agreed but ready to return the same in installment of Rs.5000/- per month. However, the complainant did not agree to such offer and requested for return of full amount in one go.

5. This office issued hearing notice dated 28.03.2024 to the Regional Director, Directorate of Inspection & Registration of Private Institutions, Hyderabad Region who appeared before Investigating Officer Hyderabad on 01.04.2024 and furnished report that the ACCA school administration failed to fulfil their commitment for return of security deposit to the complainant which was agreed during hearing on 02.01.2024.

6. The Director, Private Institution Hyderabad Region informed vide subsequent report dated 07.10.2024 that a committee had visited the school and matter was discussed. The complainant and school management agreed to return of the security deposit in installments of Rs.15,000/- per month vide statement dated 13.09.2024 but again, the school management failed to return the security deposit.

Findings

7. The directorate of Private School Registration has failed to implement the rules and terms & conditions of Registration of Private Schools and has not been able to take any action against the school on account of its failure to refund the security deposit to the complainant.

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 Secretary, School Education & Literacy Department, Karachi to take necessary action as per applicable law and policy against the management of ACCA School System on its failure to return the security deposit amount to the complainant and report compliance in 45 days to this office.

Given under my hand and seal of the office

- Sd \-

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

Karachi, dated 27th November, 2024

