



DECISION

THE COMPLAINT(S)

This institution was in receipt of following complaints filed by respective complainants against different agencies, respectively, during span of 2022 to 2024 alleging non-appointment against deceased quota.

S#	Name of Complainant	Complaint No.	Agency
1.	Mst. Ayesha Irshad	POS/3910/2021/KC	DMC Karachi Central
2.	Syed Abdul Wahab	POS/1876/KE-90/2022	DMC Korangi
3.	Hafiz-ur-Rehman	POS/4938/KR-3/2023	DMC Korangi
4.	Mst. Naheed	POS/995/KE-82/2023	School Education
5.	Mst. Mah-e-Mubeen	POS/1094/KR-24/2024	Agriculture Department
6.	Mr. Mubasher Zeb	POS/1693/KR-35/2024	DMC Korangi/LGD
7.	Mr. Danish Ali Siddiqui	POS/KR-14/2024	STEVTA
8.	Mst. Sabiha Mobeen	POS/4736/KR-136/2024	Irrigation Department
9.	Mst. Hamida Parveen	POS/3385/KR-176/2024	Health Department

2. The complainants stated that they had approached the respective agencies in this regard repeatedly but of no avail. Therefore, they sought intervention of Provincial Ombudsman Sindh for redressal of their grievances.

PROCEEDINGS

3. The complaints were registered under Section 9(1) of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) and forwarded to the respondents. During the proceedings, it was informed that the cases of the complainants for appointment against deceased quota were scrutinized and lying for further process.

4. However, during the pendency of such complaints, the Hon'ble Apex Court vide Judgement dated 18.10.2024 passed in Civil Petition No.3390/2021 has declared that the provisions of recruitment against deceased quota are discriminatory and ultra vires Articles 3, 4, 5(2), 18, 25(1) and 27 of the Constitution. As such, the Hon'ble Apex Court has directed all the governments, Federal or Provincial, to withdraw such provisions from their respective laws forthwith.

FINDINGS

5. Keeping in view the findings of the Hon'ble Supreme Court, the Government of Sindh vide Notification No.SORI(SGA&SD)2-25/2024 dated 19.12.2024 has omitted provision of Rule 11-A of Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 pertaining to Deceased Quota.

DECISION

6. Under the circumstances, since the provision of deceased quota does no more exist in law, the complaints under reference are closed without any further proceedings.

Given under my hand and seal of office.



Sd/-
(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz: PAS
Ombudsman, Sindh

Karachi, the 13th January, 2025