



DECISION

Complaint No. : POS/5260/KE/470/2024

Name and Address of the Complainant : Mr. Muhammad Khalil ur Rehman, M/s. Raheel Co, R./o A-35, Rafah-e-Aam Society, Malir Halt, Karachi.

Name of the Agency Complained against : DMC Korangi

Name & Designation of Investigation Officer : Syed Farrukh Habib
Director, Regional Office, Karachi (East)

Subject :-

INORDINATE DELAY IN REFUND OF SECURITY DEPOSIT AMOUNTING TO RS. 191,533/- AND RS. 190,607/- FOR THE WORKS OF REPAIR OF ROADS EXECUTED BY COMPLAINANT IN THE YEAR 2021.

THE COMPLAINT

Mr. Khalil-ur-Rehman in his complaint dated 07.11.2024 stated that he is a Govt. contractor. He was awarded work of repair of road by the defunct DMC/Korangi in 2021. He completed the work and also received dues for the work done, but security deposit amounting to Rs. 191,533/- (for one work) and Rs. 190,607/- (for another work) has yet not been released to him despite multiple visits of the concerned offices in DMC Korangi (defunct) now TMC Model Colony, Karachi. He, therefore, solicited intervention of this office in the matter.

PROCEEDINGS

2. After admission of complaint by condoning delay under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, (amended up to date), as well as after receiving mandatory Affidavit on Form "A" and other relevant documents, report was called from the Agency. In response, the Chairman, Town Municipal Corporation, Model Colony, Karachi vide letter dated 23.01.2025 furnished as under:

- i. That during the transition period no any record was handed over to this office except Transition Book.
- ii. That the applicant did not submit such claim to this TMC.
- iii. That no any amount been has received from Government of Sindh, on account of such Liability.
- iv. That this TMC, Model Colony was created under the Sindh Local Government Act 2013 and established on October, 2024, whereas the said work was carried out in 2021.
- v. That the Local Government Department, Government of Sindh approved Budget 2023-24 vide letter No. SOV(LG)(TMC Model Colony)/53-08/2023, dated: 26th October, a strict direction was issued that (No liabilities of pervious year will be claimed from the budget without approval of Competent Authority).

Contd.....

3. He requested that application of complainant may be filed till the matter is decided by Local Government Department.

FINDINGS

4. I have examined the case file and perused correspondence, reports and rejoinders etc., and observed that:

- i. The Agency has admitted complainant's claim and such claim could not be paid being old liability.
- ii. The Agency (DMC Korangi defunct) failed to process complainant's claim for refund of security deposit in time after completion of work awarded to the complainant in the year 2021 despite lapse of period of more than three years. Such delay amounts to gross mal-administration on part of the Agency.
- iii. The complainant is entitled to receive his security deposit which have been admitted by the TMC Model Colony, without further delay.
- iv. The Agency has been found to be inefficient in settlement of subject claim.

DECISION

5. In view of the above and in exercise of powers conferred upon me vide section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (as amended up to date) I direct the Additional Chief Secretary, Local Government and Housing Town Planning Department, Government of Sindh, Karachi to address the grievance of complainant by issuing necessary directives to TMC Model Colony, (successor of DMC Korangi defunct) as well as accord necessary sanction towards ensuring payment of admitted outstanding dues as per applicable rules within 60 days from the date of receipt of this decision.

Given under my hand and seal of the office



Sd /-
(Muhammad Sohail Rajput)
Sitara-e-Imtiaz. PAS
Ombudsman Sindh

Karachi, dated 05-03-, 2025