



## **DECISION**

Complaint No. : POS/561/2023/ NFZ-3

Name and address of the complainant : Mr. Zubair Ahmad Tunio & Others,  
C/o Yar Muhammad Rajper, Kiryana &  
Merchant Shop, Padidan Road, N'Feroze

Name of the Agency Complained against : Works & Service Department

Name & Designation of Investigating Officer : Khalid Shaikh,  
Regional Director, N' Feroze

Vetted by : Fasihuddin Khan,  
Advisor 'Z'

Subject : ALLEGED DISMANTLING AND DELAY IN  
REPAIRING OF CULVERTS OF THE ROAD (PUNJABI  
PHATAK/PADIDAN ROAD TO BHIRIA TOWN)  
DURING RAINS

### **THE COMPLAINT**

Mr. Zubair Ahmad Tunio & Others filed a joint complaint on 19.01.2023 stating therein that the Government had constructed Punjabi Phatak Road from Padidan to Bhiria Town, alongwith culverts. The road connects various villages and facilitates people for transporting their cash crops to the market for sale. During monsoon season of the year 2022, some people broke the culverts to save their lands from the flooding of rain water and left the road in a very bad condition. Resultantly, the residents/growers are facing problems. They approached the Agency for repairing the said road but in vain. Therefore, they solicited intervention of this Institution for relief.

### **PROCEEDINGS**

2. The complaint was admitted u/s 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) by condoning the delay and subject to submission of Affidavit on Form 'A'. After receiving the Affidavit on Form 'A', the matter was taken up with the XEN, Roads, Works & Services Department, N'Feroze for report vide letter dated 09.02.2023. In response, the XEN, Highway Division, N'Feroze submitted vide his letter on 08.03.2023 that the said link road with some culverts from Punjabi Phatak via Waledino Tunio to Bhiria city was constructed about 30 years back. During monsoon and flood of 2022, some villagers of this locality had damaged culverts while trying to stop the crossing of heavy rain water to their side. Later

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on, action against those people who damaged and closed the culverts was taken and the main portion of road was cleared for every kind of traffic with the help of district administration and Irrigation Department. The report was shared with the complainant for rejoinder vide letter dated 15.03.2023. The complainant submitted his rejoinder on 02.05.2023 stating that the Agency had submitted a false report and no action whatsoever had been taken with regard to the damaged culverts by any government department. He, therefore, requested for repair of the culverts before the monsoon rain.

3. In order to resolve the matter, further correspondence was made with the concerned officers of Provincial Highways, Irrigation and the Revenue Departments and hearing was also conducted on various dates by the Investigating Officer in the presence of the complainants. Finally, on 11.09.2024, the agencies submitted a joint report duly signed by the Assistant Executive Engineers of Highways & Irrigation Departments as well as the Mukhtiarkar (Rev) Bhiria stating that the land in question where the complainant desires to get the culverts constructed at Haji Walidno Tunio belongs to Mr. Shahid Hussain & other co-sharers. The Irrigation Department reported that no sanctioned Government water course exists in the map and on both sides of the road at disputed area, i.e. Village Walidino Tunio Lands of Shahid Hussain & other co-sharers are situated who raise objection on construction of culvert on their land. During the hearing on 11.09.2024 before the Investigation Officer, representatives of the Agencies informed that at the time of survey, large number of people from the area gathered and strongly protested against construction of culvert saying that their land and village would inundate with water and will cause heavy losses to them. The complainant also admitted during the hearing that the said land belongs to private khatedars who strongly oppose construction of culverts on their land.

#### DECISION

4. In view of the above, since construction of culvert is not possible, further proceedings in the matter are hereby stopped and the complaint is disposed of accordingly.

**Given under my hand and seal of Office.**



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

Karachi, dated

11<sup>th</sup> March, 2025