



DECISION

Complaint No. : POS/844/2022/Adv-M

Name and address of the complainant : Mst. Fatima Samina widow of Ashraf Rehmat, House No. 879, Block-D, Bhattai Colony, Korangi Crossing, Karachi.

Name of the Agency Complained against : 1. Karachi Metropolitan Corporation
2. Karachi Development Authority

Name & Designation of Investigating Officer : Mir Hussain Ali
Advisor-M

Vetted by :

Subject : DELAY IN PAYMENT OF SERVICE DUES / BENEFITS TO THE COMPLAINANT.

Complaint:

A complaint filed by Mst. Fatima Samina widow of late Ashraf Rehmat resident of House No. 645 1st Floor, Bhattai Colony, Block-D, Korangi Crossing, Karachi against Karachi Metropolitan Corporation and District Municipal Corporation South for not allowing her the Timescale Promotion benefits granted by the Government of Sindh to their employees vide Notification No. FD(SR-1)1(52)/2010 dated 7.6.2010. She further complained that her request is moving to and fro between KMC and DMC with no positive outcome. She requested for intervention of this Institution for the redressal of her grievance.

Proceedings:

2. At the very outset the complaint was examined thoroughly to ascertain whether it is a service matters or not, as in such case the jurisdiction of this Office is prohibited under Section 9(2) of the Act, 1991. However, it has been satisfactorily found that the act complained against constitutes maladministration on the part of agency in performance of its duties in respect of settlement of retirement dues of the complainant. Therefore, remaining mindful about the domain of the office, the complaint was admitted u/s 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act 1991, for investigation. The complaint was forwarded vide letter No. POS/844/KHE/88/2020/2610/2611 dated 13.3.2020 to the Municipal Commissioner, Karachi Metropolitan Corporation and Municipal Commissioner, District Municipal Corporation South for their report on this issue.
3. The Senior Director Welfare, Karachi Metropolitan Corporation vide letter No. Dir/Welfare/F&A/9068/2020 dated 21.7.2020 reported that the Timescale Promotion matter pertains to District Municipal Corporation South as complainant's husband was employee of DMC South.
4. The complainant in her rejoinder dated 15.9.2020 stated that the DMC insists that since her husband died before the devolution of Education Department to DMC's in 2014, her case will be considered by KMC, whereas KMC was of the view that the DMC will handle this request. And this stalemate continued.
5. The Director Education, District Municipal Corporation South vide letter No. DIR/EDU/SOUTH/706/2020 dated 10.12.2020 addressed to the Municipal Commissioner, District Municipal Corporation South, stated that Mayor Karachi Metropolitan Corporation has requested the Local Government Department to reconsider its decision of payment of the arrears pertaining to prior to devolution of Education Department to DMC's by KMC.
6. The Director Welfare, Finance & Accounts, Karachi Metropolitan Corporation vide letter No. Dir/Welfare/F&A/7966/2021 dated 12.8.2021 stated that the Welfare Department (Finance & Accounts), KMC has not processed Timescale Promotion claims in view of letter No. PS/MC/KMC/147/20219 dated 22.8.2019 from the Metropolitan Commissioner, Karachi Metropolitan Corporation, Karachi addressed to the DMC's that KMC cannot entertain such claims because of financial constraints.

7. The complainant last attended the hearing on 1.6.2022 in which she stated that Timescale Promotion benefits have still not been paid to her and she also stated that she will submit the required documents soon. Since then efforts were made to procure her attendance but she did not attend nor is she responding to phone calls being made to her.

8. In another complaint filed by Hafiz Mehmood-ul-Hassan on the same issue, the then Ombudsman Sindh was pleased to observe as follows in his decision dated 15th May 2014:

“The contention of the complainant was that the teaching staff of Karachi Metropolitan Corporation was also entitled as per Government instructions and policies. The Karachi Metropolitan Corporation had worked out financial implication of more than 130 million and recommended the case to the Secretary, Local Government Department, Government of Sindh. However, it was noticed during investigation that the KMC had already implemented the Government notification by allowing benefit to the teaching staff mentioned at parade of this decision. There was such no justification to deprive remaining staff entitled for this benefit. This will not only the case of discrimination, but a great injustice to the deserving teaching staff. Besides, this benefit was to be given on case by case basis on the basis of recommendations of competent forum after scrutiny of service record /ACRs etc. instead of allowing by issuance of simple notification order as notified by the Finance Department”.

He then decided the complaint as follows:

“I therefore direct the Administrator, Karachi Metropolitan Corporation, to immediately start with the exercise of grant of higher grade on the basis of timescale to the teaching staff (School Side) of KMC in the light of the instructions given by the Finance Department, Government of Sindh to the remaining deserving serving and retired staff with effect from 7.4.2010 on case to case basis. The exercise should be completed within period of 90 days and compliance report be submitted to the undersigned”.

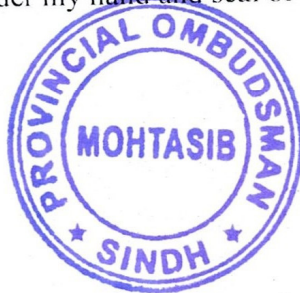
Findings:

9. From the above proceedings it is clear that the agency has not allowed the complainant his due right of promotion and resultant financial benefits, which has been already allowed by granting Timescale Promotion to some members of the staff of Education Department of KMC / DMC, and hence it would be injustice if other deserving claimants are deprived of this benefit.

Decision:

10. As such, in exercise of powers vested in me under Section 11 of Establishment of the Office of Ombudsman for the Province of Sindh Act 1991, I do hereby direct the Metropolitan Commissioner, Karachi Metropolitan Corporation to immediately initiate action as decided by the then Ombudsman Sindh on 15.5.2014 and grant the Timescale Benefits to all deserving retired and serving officials of KMC / DMC Education Department including the complainant Mst. Fatima Samina, after evaluating each claimant on case to case basis. He is further directed to ensure that this exercise which was supposed to be completed in 2014, is now accomplished within six months.

“Given under my hand and seal of office”



Sd /-

(Muhammad Sohail Rajput)

Sitara-e-Imtiaz, PAS

OMBUDSMAN SINDH

Karachi, dated 20th September, 2025