



DECISION

Complaint No.:

POS/5105/2022/N-

Name and address
of the complainant :

Mr. Muhammad Banaras,
Pak PWD Horticulture, G-7, Markaz,
Block-5/N, near Women Police Station, Islamabad.

Name of the Agency
Complained against :

- i. Accountant General Sindh, Karachi.
- ii. Deputy Inspector General, Special Branch, Karachi.

Name & Designation of
Investigating Officer :

Muhammad Naseer Jamali, Advisor-N

Subject :-

**COMPLAINT AGAINST INORDINATE DELAY IN
RESTORATION OF FAMILY PENSION TO THE
COMPLAINANT BEING A DISABLED PERSON**

Complaint

Mr. Muhammad Banaras filed a complaint dated 16.02.2021 wherein he stated that his late father, Allah Ditta was a police employee and pensioner who died on 04.06.1997. After his death, his mother Mst. Noor Jehan was a family pension holder who also expired on 07.01.2007. He is a disabled person i.e. DEAF and DUMB with no source of income. He approached the Sindh Police Department and A. G. Sindh for restoration of family pension in his favour as per policy of Government of Sindh but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The complaint was admitted for investigation u/s 10 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) after receiving mandatory Affidavit on Form "A" and other relevant documents.

3. This office issued notice dated 15.03.2021 to the Accountant General Sindh for report. In response, the Accounts Officer, A.G. Sindh required following documents of the complainant vide letter dated 08.04.2021.

- i. Application (forwarded by concerned department).
- ii. CNIC (photocopy)
- iii. Three photographs.
- iv. Copy of complete pension book.
- v. Online Performa with account no. verified by the Bank Manager.
- vi. Original Pension book alongwith disburser half from T.O./DAO/Bank through concerned Accountant General.....
- vii. Life Certificate
- viii. Copy of Legal heirship certificate from Assistant Commissioner/Tehsildar.
- ix. Copy of Family Registration Certificate (FRC) issued by NADRA
- x. No Remarriage/No Marriage Certificate (issued by Union council)
- xi. Non-employment/no source of income certificate.
- xii. Descriptive Roll.
- xiii. Death Certificate issued by NADRA
- xiv. The application is required to appear before the Verification Officer of this office for personal/physical verification alongwith all original documents.

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- xv. Sanction required by competent authority/Pension Sanctioning Authority for payment of arrears of family pension as per FD (PCDC)9/(17)2019.
- xvi. Current Marital status of all daughters of pensioner.
- xvii. Disability Certificate issued by Services Hospital duly signed by medical board and Medical Superintendent of Services Hospital.

4. The complainant was advised vide letter dated 26.04.2021 for doing the needful. The complainant submitted documents in piecemeal and the same were forwarded to the A.G. Sindh and DIGP Special Branch Karachi for further action. The Accounts Officer (Pension) A.G. Sindh informed vide letter dated 01.02.2023 that the disability certificate will be sent to the Issuance Authority for verification. After that, the matter will be forwarded to the Finance Department for obtaining necessary permission as the case is 16 years delayed.

5. The Section Officer/Secretary, Pension Cases Disposal Committee, Finance Department informed vide letter dated 11.06.2023 that the Disability Certificate of the complainant has been issued by the Deputy Director, Bait-ul-Mal and M.S. District Headquarter Rawalpindi with nature of disability as "**Profound degree of hearing loss bilaterally**". The Finance Department advised for constituting a Special Medical Board by the Health Department, Government of Sindh.

6. This office issued notice dated 06.07.2023 to the Secretary, Health Department Karachi to constitute a Special Medical Board as advised by the Finance Department. The Medical Superintendent, Services Hospital Karachi informed vide letter dated 23.12.2023 that a meeting of Special Medical Board was held on 20.12.2023 to consider the grant of family pension to the complainant on the basis of disability. The opinion/findings of the Special Medical Board are reproduced as under:

Mr. Muhammad Banaras s/o. (late) Allah Ditta and his above reports were evaluated by the Special Medical Board. The board is of the opinion that he is mentally retarded having bilateral profound Sensorineuronal hearing loss deaf and dumb). He is therefore dependent on his family (caretakers) for important decisions, including financial matters. Because of his mental status and disability, he cannot be gainfully employed.

7. This office issued a letter dated 01.01.2024 to the Secretary, Pension Cases Disposal committee for taking further action as recommended by the Special Medical Board. The office of A. G. Sindh also forwarded the case of the complainant for necessary permission to create ID for drawing family pension and the same was allowed by the Section Officer/Secretary, Pension Cases Disposal Committee vide letter dated 12.07.2024. The Finance Department had issued a circular dated 30.12.2020 on the subject: **Simplification of Procedures Regarding Pensions - Delay in Disposal of Pension**, wherein the relevant Para-13 is reproduced as under:

In the light of above existing rules/policy, it is mandatory duty of concerned Pension Sanctioning Authority/Competent Authority as well as concerned Audit/Accounts Office to decide and grant pension to the retired civil servants and family pension to the deceased civil servants. Pension is property and property is right to the family of deceased. The pension will be claimed at any time by the eligible family member from the date when family pension is admissible/due.

(3)

8. The Accounts Officer (Pension), A. G. Sindh informed vide letter dated 29.01.2025 that after completion of verification process and fulfilment of codal formalities, the family pension of the complainant has been released on 1st January-2025 and arrears of family pension w.e.f. 25.06.2020 to 30.11.2024, amounting to Rs.634,985/- are in process for payment to the complainant in next payroll.

Findings

9. On the intervention of this Institution, grievance of the complainant has been redressed for restoration of family pension and payment of arrears of family pension w.e.f. 25.06.2020 but the complainant is eligible for grant of family pension when her mother died on 07.01.2007 in pursuance to the circular of Finance Department as mentioned in Para-7 above.

Decision

10. 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), the complaint is disposed of as redressed. Further, I, hereby direct the Accountant General Sindh, Karachi to consider the request for payment of family pension to the complainant from the date when family pension has been admissible/due and as per directions issued by the Finance Department from time to time.

Given under my hand and seal of office.

Sd /-

(MUHAMMAD SOHAIL RAJPUT)
Sitara-e-Imtiaz. PAS

Ombudsman Sindh

Karachi, dated 17th February, 2025

