



DECISION

Complaint No. : POS/5853/2022/HYD/364

Name and address of the complainant : Mr. Moula Bux s/o Misri Khan Birhamani
R/o Village Yousuf Khoso Near LUMHS Colony
Jamshoro.

Name of the Agency Complained against : Industries Department, Government of Sindh.

Name & Designation of Investigating Officer : Abdul Wahab Memon, Consultant / Regional Director,
Regional Office, Hyderabad.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : COMPLAINT AGAINST INDUSTRIES
DEPARTMENT ALLEGING NON-PAYMENT OF
SALARIES OF INTERVENING PERIOD AND OTHER
DUES TO THE COMPLAINANT

Complaint

Mr. Moula Bux filed a complaint dated 29.09.2022 wherein he stated that he was an employee of Dadu Sugar Mills established under Sindh Sugar Corporation. After closure of Dadu Sugar Mill, he was absorbed in Health Department as Assistant Malaria Superintendent (BPS-18). He submitted a claim, amounting to Rs.1,093,664/- as outstanding dues against the agency on account of salaries and others liabilities for payment. The complainant had approached the highest forums for payment of his dues but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The complaint was admitted for investigation u/s 10 (3) 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 and by condoning the delay.

3. This office issued notice dated 02.11.2022 to the Secretary, Industries Department, GOS, Karachi, Director, Industries Department, Karachi and General Manager, Dadu Sugar Mill for report. After protracted correspondence, the Section Officer (IND) Industries & Commerce Department, Karachi informed vide letter dated 01.07.2024 that the regular surplus staff of Dadu Sugar Mills and Thatta Sugar Mills were absorbed in various Government Departments vide S&GAD's order dated 24.07.2006 subject to following conditions:

- (i) *The regular employees of above mentioned two Sugar Mills, who have not yet, shall exercise option, within 15 days as to whether they opt for retirement on golden handshake or they opt for absorption in the departments/ autonomous bodies / semi-autonomous bodies, Government of Sindh/ District Governments.*

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(2)

(ii) *The total service of the employees will be counted for pensionary benefits but no salary or increment etc. will be admissible / payable for the intervening period of closure of the mills and absorption in the Government Department, Autonomous Bodies of District Government.*

4. The complainant was absorbed as Assistant Malaria Superintendent (BPS-18) and he retired from service on 15.03.2009. The complainant is not eligible for payment of salary for the closure period of Dadu Sugar Mills from 1999 to 2006 in pursuance to the S&GAD's order dated 24.07.2006.

5. The agency's report was sent to the complainant for rejoinder vide letter dated 27.08.2024, followed by a reminder. The complainant appeared before Investigating Officer Hyderabad on 01.10.2024 but he failed to substantiate his claim in the rebuttal of agency's report and S&GAD's order dated 24.07.2006.

Findings

6. The investigation of the case did not establish maladministration against the agency.

Decision

7. 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 rejected.

Given under my hand and seal of the office



- Sd \-

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

Karachi, dated 11th December, 2024

