



DECISION

POS/682/2021/Adv-M

Complaint No.

Name and address of the complainant

Name of the Agency Complained against

Name & Designation of Investigating Officer

Vetted by

Subject

Complaint:

A complaint was filed by Mr. Bashir Ahmed and other resident of Faqir Mohammad Dara Khan Road, Nawa Lane, Gali No. 1-C, against illegal construction in the area. He requested for intervention of this Institution for the redressal of his grievance.

Proceedings:

2. After due admittance of complaint under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act 1991, the same was forwarded vide letter No. POS/682//2021/05/KHS/324/325/326 dated 1.3.2021 to the Director General, Sindh Building Control Authority; the Administrator, Karachi Metropolitan Corporation; and the Deputy Inspector General of Police (South), for their report on this issue.

3. The Station House Officer, Kalakot vide his letter No. 2431 dated 31.3.2021 reported that a shop has been illegally constructed on a lane by Gul Jan, which needs to be demolished by the Sindh Building Control Authority and Karachi Metropolitan Corporation. Necessary support will be provided by the Police.

4. The Senior Director Land (Anti-Encroachment), Karachi Metropolitan Corporation vide its letter No. KMC/SDL/AE/2021/489 dated 26.8.2021 requested the Director Land to confirm the status of this land and to depute the Land Surveyor to demarcate the encroachment.

5. The Deputy Director Land Lyari Division, KMC, through its letter No. KC/DDI/LY/2022/427 dated 15.4.2022 informed that the matter relates to the Anti-Encroachment Department, KMC for taking appropriate action. He did not mention anything about demarcation, and he also informed that the whole area is under encroachment and that because of the law and order situation, demarcation is not possible. On being referred to again by the Senior Director (Anti-Encroachment), through letter No. KMC/SD/AE/2022/258 dated 25.5.2022, the Deputy Director, Land, Lyari Division vide its letter No. DDI/LYARI/KMC/23/2023 dated 1.2.2023 stated that the whole area had been encroached by the residents of the area and a law and order situation was also imminent.

6. The Deputy Director Land, Layri Division, KMC through his letter No. DDL/LYARI/KMC/224/2023 dated 25.10.2023 stated that this area is very congested, whereas, the said encroachment is located in the central portion. He further reported that the Land Surveyor was attacked by the residents of the area, and a law & order situation had resulted. He stated that accordingly Deputy Commissioner South and Superintendent of Police City were requested to provide the security cover in this regard.

7. Subsequently, the Assistant Commissioner, Lyari, vide his letter No. KOR/KALAKOT/PS/2023-C-256 dated 28.11.2023 forwarded the report of the concerned Mukhtiarkar and requested that a date may be fixed for demarcation by the Deputy Director Land

and that due administrative support will be provided. The Mukhtiarkar in his report states that the encroacher has erected a small room on the street, and that involving the notables of the area or Union Council Chairman will facilitate the removal of this encroachment.

Finding:

8. From the above proceedings it is clear that the complainant Bashir Ahmed and others residents of the area have rightly pointed out the illegal encroachment on the street made by Gul Jan in the shape of a shop, is causing inconvenience and difficulties to the residents of the area, whereas KMC and the local police are refraining from taking action against this illegal act.

Decision:

9. In view of the obvious maladministration being displayed by Karachi Metropolitan Corporation and the local police, 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 Deputy Commissioner, Karachi South to immediately coordinate action with the Karachi Metropolitan Corporation officials and provide security cover for the removal of this encroachment and ensure that the encroachment is removed within 90 days.

"Given under my hand and seal of office"

Sd/-

(Muhammad Sohail Rajput)

Sitara-e-Imtiaz, PAS

OMBUDSMAN SINDH

Karachi, dated 8th October, 2025

