



DECISION

Complaint No.	:	POS/8829/ROK-244/(Khp)/2023
Name and address of the complainant	:	Mr. Khadim Hussain Mirani, R/o Khanan Shah Colony, Opp. Civil Hospital, District Khairpur Mir's.
Name of the Agency Complained against	:	SBBHC / Local Government & Housing Town Planning Department
Name & Designation of Investigating Officer	:	AHMED BAKHSH GHUMRO, Consultant / Incharge, Regional Office, Khairpur
Vetted by	:	Dr. Syed Sharaf Ali Shah, Advisor-J
Subject	:	<u>ALLEGED DELAY IN REFUND OF REMAINING AMOUNT OF RS. 1,557,020/- ON ACCOUNT OF SECURITY DEPOSIT BY SBBHC, LOCAL GOVERNMENT DEPARTMENT.</u>

COMPLAINT

Mr. Khadim Hussain Mirani, resident of Khanan Shah Colony, District Khairpur Mir's, filed an online complaint on 01.11.2023 against the Director, Shaheed Benazir Bhutto Housing Cell (SBBHC), alleging an undue delay in refunding the remaining security deposit amounting to Rs.1,557,020/. He claimed to have submitted multiple applications to Mr. Anees Ahmed Mangi, Director SBBHC, since 16.10.2020 and met him in person several times. Allegedly, Mr. Mangi demanded a bribe of Rs.700,000/- for processing the refunded amount. Hence, the complainant sought intervention from this Institution.

PROCEEDINGS

02. The complaint was admitted under section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date), by condoning the delay in filing it and subject to submission of an Affidavit on Form "A".

03. After completion of codal formalities, comments were called from the Director (Inspection & Admn), SBBHC, Karachi, on 31.01.2024 who, after issuance of summons twice, submitted comments on 22.07.2024. The Director provided two grounds for the delay in refunding the security deposit:

- Completion of only 81 housing units against the contractual target of 110 units.
- Infirmities in certain houses of the 3rd phase at Village Mir Khan Thoro, UC Dad Jarwar, District Tando Allahyar.

The Director suggested that the complainant be asked to furnish justification on the above grounds.

04. The agency's comments were shared with the complainant on 01.08.2024. In his rejoinder dated 20.11.2024 the complainant stated that an agreement was signed in 2016 for the construction of 110 housing units, but SBBHC issued tranche-wise work orders. After completion of each tranche of housing units, the SBBHC provided the list of next tranche of units for construction. Security deposit of 20% was deposited against each tranche. The complainant claimed that SBBHC gave first tranche of 18 units, second of 19 units, third & fourth of 37 units and fifth of 7 units a total of 81 units. The complainant claimed to have completed all the 81 units assigned to him. The complainant denied to have received work order for remaining 29 units nor any fund was released to him for construction of these units. In support of his contention, the complainant submitted a copy of the office note dated 19.07.2019, para-3 of which mentions that SBBHC was not in a position to assign another portion of task as Finance Department had not released further funds.

05. The complainant further contested the authenticity of a letter regarding "infirmities" signed by the Deputy Director (Engineering), SBBHC, on 16.01.2018, claiming it lacked proper address, outward number/date, and misrepresented his organization's name (correct: Bhittai Social Watch and Advocacy, not Bhittai Social Welfare Association). He argued that if the work had deficiencies, SBBHC would not have refunded Rs. 900,000/- on 19.07.2019 out of 24,57,020/- deposited security. In support of his contention, the complainant produced photo copy of a letter dated 31.12.2018 of Third Party Validation. He also produced photocopies of two office notes one dating 28.11.2018 mentioning the certification of last tranche of 5 units at District Tando Allahyar. The other dating 19.07.2019 certifying completion of 58 units and mentioning that 23 units are at finishing level and recommendation to refund Rs.900,000/- out of Rs. 24,57,023 deposited amount of the security. Additionally, the complainant claims that service charges of all the completed 81 housing units were paid to him by the SBBHC tranche-wise till 2019 on submission of satisfactory work report by the third party.

06. The Director, SBBHC Karachi was, therefore, asked for further comments who merely reiterated his earlier comments / report.

07. A hearing was held on 25.03.2025, attended by both parties. Mr. Anees Qadir Mangi of SBBHC was shown the office note dated 19.07.2019, which clearly states:

“SBBHC is not in a position to assign another portion of task awarded for want of funds, therefore, on satisfactory completion of assigned portion of awarded task, the performance security is liable to be refunded to the organization.”

Mr. Anees Qadir Mangi, then sought time as, according to him, SBBHC had no money in balance.

08. The complainant submitted that matter was pending since over four years and that Mr. Anees Qadir Mangi was responsible for it who demanded kickbacks and bribe of Rs.400,000/- to 700,000/- for refunding of remaining Security Deposit. He expressed concern that Mr. Anees Qadir Mangi might have misappropriated his deposited security amount. He urged for early refund / return of his remaining deposited security amount of Rs.1557,020/. The complainant was, therefore, advised to submit Third Party Validation certificate in respect of all the 81 housing units. He submitted the same on 22.08.2025.

FINDINGS

09. Based on the available record, the following findings are made:

- i) The complainant's Security Deposit was a guarantee / surety for completion of satisfactory work deposited with SBBHC. Mr. Anees Qadir Mangi's claim that organization had no funds available was not tenable.
- ii) The complainant sought refund of Rs. 1,557,020/- after submitting Third Party Validation from M/s RCC Consultants Hyderabad and following full payment of service charges for all completed 81 housing units. His efforts to obtain the refund began on 16.10.2020 and continued through multiple visits and follow-ups.
- iii) The Director failed to respond timely and his explanations regarding incomplete work and alleged infirmities are inconsistent with documentary evidence, including Third Party Validation and official SBBHC notes dated 28.11.2018 and 19.07.2019.

DECISION

10. In view of the above and in exercise of powers conferred to me under section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act,1991 (as amended), I hereby direct to:

- i) Secretary Local Department, Government of Sindh, to refund the complainant's remaining security deposit of Rs.1,557,020/- without further delay after completing the required codal formalities.
- ii) Initiate a departmental inquiry against the Mr. Anees Qadir Mangi (Inspection & Administration), SBBHC for his deliberate failure to process the refund in timely and transparent manner for want of bribe.
- iii) Forward a recommendation to the Chairman, Enquires & Anti-Corruption Establishment Sindh, against Mr. Anees Qadir Mangi, for an inquiry against his role for non-refunding the security deposit for personal gains.

Compliance report must be submitted within 60 days of issuance of this order.

"Given under my hand and seal of office"



Sd/-
(Muhammad Sohail Rajput)
Sitara-e-Imtiaz. PAS
Ombudsman, Sindh
Karachi, dated 8th October, 2025