



DECISION

Complaint No. : POS/476/2025/Adv-Z

Name and address of the complainant : Mr. Jaffer Imam, Suite No.308, 3rd Floor,
M. Yousuf Chamber, Plot A-30, Block 7/8, KCHS,
Baloch Colony, Shahr-e-Faisal, Karachi.

Name of the Agency Complained against : Industries Department

Name & Designation of Investigating Officer : Fasihuddin Khan,
Advisor 'Z'

Vetted by : -----

Subject : ALLEGED DELAY IN THE REGISTRATION OF
SPECIALIZED TRUSTS BY THE DIRECTORATE
OF INDUSTRIES & COMMERCE, KARACHI

THE COMPLAINT

Mr. Jaffer Imam of Imam Associates, Karachi filed a complaint on 28.01.2025 regarding problems faced by the specialized trusts including Provident Funds and Gratuity Funds under the Sindh Trusts Act, 2020. While dealing with the requests for registration of such trusts, the Directorate of Industries & Commerce Department, Government of Sindh is required to obtain 'No objection certificate' (NOC) from a regulator to be notified by the Government of Sindh. He added that despite a reference moved in this connection to the Industries Department, the matter has not been resolved and the registration of various trusts is being delayed inordinately. Therefore, they have approached this Institution for relief.

PROCEEDINGS

2. The complaint was admitted u/s 10 of the Establishment of the Office of Ombudsman for the province of Sindh Act, 1991 (amended upto date) by condoning the delay and after fulfillment of mandatory requirements. The matter was taken up with the Secretary, Industries & Commerce Department vide this office letter dated 18.02.2025.

3. After further correspondence and hearing held with the representatives of the Industries Department on 12.03.2025, the Agency submitted its report vide letter dated 19.03.2025. According to this report after going through the relevant law and due deliberations by the Secretary, Industries & Commerce, the matter of NOC as required prior to

Contd.... p/2....

the registration of Specialized Trust, particularly provident fund, gratuity fund, pension fund etc. has been resolved. Instead of NOC previously issued by the FBR, Government of Sindh being the custodian of Provincial Trust Law, is empowered to register a Specialized Trust under the Sindh Trust Act 2020 subject to fulfillment of codal formalities u/s 13 to 15 of the said Act. In view of these provisions, the registration of such specialized trusts will be finalized by the concerned Assistant Director in the light of verification of antecedents of the Trustees, by the Special Branch Police.

4. Subsequently, the Assistant Director (Trust), Directorate of Industries & Commerce, Government of Sindh informed vide his letter dated 17.04.2025 that after due process of verification through Special Branch Police and completion of all the requirements as per Law Registration Certificate has been issued to a Specialized Trust namely SZABIST UNIVERSITY STAFF PROVIDENT FUND on 09.04.2025. A Photostat copy of the certificate was also enclosed.

REJOINDER

5. The above reports of the Agency were sent to the complainant for his rejoinder, if any. In response, he confirmed the report of the Agency vide his letter dated 24.04.2025, and expressed his gratitude to this Institution for resolving the matter with further request to the Industries & Commerce Department for adhering to modified procedure for attending to all such pending and future requests for registration of Specialized Trusts.

DECISION

6. In view of the above, the complaint is disposed of as redressed with further direction to the Directorate of Industries & Commerce Department to continue facilitating the registration of Specialized Trusts dealing with Provident Funds, Gratuity Funds, Pension Funds and similar entities under the above mentioned procedure subject to fulfillment of requisite codal formalities as per law.

Given under my hand and seal of office,



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

Karachi, dated 9th May, 2025