



## **DECISION**

**Complaint No.** : POS/4199/2022/38/KHS

**Name and address of the complainant** : Mst. Khadija-ul-Kubra Wd/o. Hazar Khan Noonari,  
C/o. Haider Ali Noonari, Sindh Chief Minister House,  
Dr. Ziauddin Ahmed Road, Karachi.

**Name of the Agency Complained against** : Local Government Department

**Name & Designation of Investigating Officer** : 1. Syed Maqsood Haider, R.D. South, Karachi  
2. Mr. Masood Ishrat, Registrar

**Vetted by** :

**Subject** :

**INORDINATE DELAY IN PAYMENT OF DUES TOWARDS FINANCIAL ASSISTANCE, LEAVE ENCASHMENT AND REMAINING SALARIES FOR THE PERIOD FROM 04.09.1997 TO 23.06.2008 IN RESPECT OF DECEASED HUSBAND OF THE COMPLAINANT, ETC.**

### **COMPLAINT.**

Mst. Khadijat-ul-Kubra widow of Hazar Khan Noonari, filed a complaint dated Nil, received in this Secretariat on 5.8.2022, stating that her husband was placed under suspension on 4.9.1997 and died during service on 23.6.2008. She added that after death, orders for his reinstatement in service were issued and after vigorous persuasion, the then Secretary, Local Government Department Sindh, Karachi, vide Order No.SLGB/ SCUG/AO(U.A)/4/163/2019/8666 dated 07.01.2019 had decided that dues towards financial assistance, leave encashment as well as salaries for suspension period from 4.9.1997 to 30.6.2008 (decided as period on duty) would be paid from the funds of Sindh Local Government Board. She alleged that despite lapse of a long period of time, the said dues were not paid. Being aggrieved, she solicited our intervention in the matter.

### **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 up to date) by condoning delay and after receipt of mandatory Affidavit on Form 'A', matter was taken up with authorities concerned for reports.

3. The Director-I, Sindh Local Govt. Board, Karachi, vide letter dated 03.02.2023 reported that it has been decided by the competent authority vide Order No.SLGB/SCUG/AO(U.A)/4(163)/P-11942019/9756 dated 20.5.2019 that payment of dues towards financial assistance and leave encashment will be paid to the family/legal heirs of deceased official late Hazar Khan Noonari from the funds of District Municipal Corporation, Malir, Karachi, whereas payment of salaries w.e.f 04.9.1997 to 20.05.2008 will be made from the funds of Sindh Local Government Board, as per Order dated 07.01.2019.



4. Subsequently, the Agency submitted copy of Order No.SLGB/SCUG/AO(U.A)/4/163/2023/1178 dated 04.10.2023 mentioning that the salaries for the suspension period w.e.f. 4.9.1997 to 23.6.2008 would be paid from the funds of District Council, Shikarpur.

5. The complainant vide her rejoinder dated Nil (received on 18.09.2024) stated that despite her constant persuasion neither the amount of financial assistance of Rs.300,000/- nor leave encashment have been paid by District Municipal Corporation, Malir, Karachi, till this date.

6. Series of hearings were held before the Regional Director, Karachi South but the grievances of the complainant were not redressed. Finally the matter was fixed for hearing before me on 18.11.2024 when Secretary, Local Government Fund Board Sindh, and Director-II, Local Government Fund Board, Karachi and Municipal Commissioner, District Municipal Corporation, Malir, Karachi, appeared and matter was discussed at length.

7. With consent of the parties, it was decided that the Secretary, Local Government Fund Board, Karachi will provide all the requisite legal documents regarding payment of dues to the complainant to the Municipal Commissioner, Town Municipal Corporation, Malir, Karachi within ten (10) days, who will ensure payment of dues towards financial assistance and leave encashment to the complainant within one month from the date of receipt of documents. Regarding payment of salaries for the suspension period from 04.09.1997 to 23.06.2008 Chief Officer, District Council, Shikarpur, will be directed to calculate and pay the admissible dues in ten (10) equal monthly installments.

#### FINDINGS.

8. I have examined the case. The complainant approached this institution soliciting intervention for payment of dues towards financial assistance 180 days leave encashment and outstanding salaries in respect of her deceased husband for the period from 04.09.1997 to 23.06.2008. The Orders dated 07.1.2019 issued by the Secretary to Government of Sindh, Local Government Department decided upon the payment of dues but those were not paid due to certain reasons including paucity of funds. I heard the matter on 18.11.2024 when it was agreed by the Municipal Commissioner, Town Municipal Corporation, Malir, Karachi, to clear the dues towards financial assistance and 180 days leave encashment subject to provision of all the requisite documents by the Local Government Fund Board, Karachi and legal heirs of deceased Hazar Khan Noonari, whereas dues toward outstanding salaries of suspension period from 04.09.1997 to 23.06.2008 will be paid by the Chief Officer, District Council Shikarpur, in ten (10) monthly installments of equal amount.



**DECISION**

9. In view of the above and exercise of powers vested in me under Section 11 of Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date),

I hereby direct that:

1. The Secretary, Local Government Fund Board, Karachi shall ensure provision of requisite documents to Municipal Commissioner, Town Municipal Corporation, Malir, Karachi within ten (10) days of receipt of this decision.
2. The Municipal Commissioner, TMC, Malir, Karachi, shall ensure payment of dues towards financial assistance and lump sum 180 days leave encashment to the legal heirs of the deceased employee within one month from the date of receipt of requisite documents; and
3. The Chief Officer, District Council, Shikarpur, shall ensure payment of outstanding salaries for the period from 04.09.1997 to 23.06.2008 to legal heirs of the deceased employee in ten (10) monthly installments of equal amount subject to completion of required codal formalities.
4. The legal heirs/complainant is also directed to extend cooperation to the authorities concerned in completion of formalities/documentation without fail.

10. Compliance should be reported to my office inside 45 days.

Given under my hand and seal of office.



**- Sd \-**

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz: PAS

Ombudsman, Sindh

Karachi, dated the 29<sup>th</sup> November, 2024