



DECISION

Complaint No. : POS/2919/23/ NFZ-35

Name and address of the complainant : Mr. Mumtaz Ali Chandio,
R/o Village Haji Sain Rakhio Chandio,
Taluka & District Naushahro Feroze

Name of the Agency Complained against : Union Council Bhurand

Name & Designation of Investigating Officer : Ahmed Bakhsh Ghumro,
Consultant/Incharge, Regional Office,
Naushahro Feroze

Vetted by : Fasihuddin Khan,
Advisor 'Z'

Subject : COMPLAINT AGAINST THE CLERK MR. HASSAN KAKEPOTO OF U.C. BHURND WHO ALLEGEDLY RECEIVED RS.1500/- FROM THE COMPLAINANT FOR ISSUANCE OF BIRTH CERTIFICATES OF HIS THREE CHILDREN BUT DID NOT PROVIDE THE SAME

THE COMPLAINT

Mr. Mumtaz Ali Chandio filed a complaint on 12.04.2023 stating that he went to the Union Council, Bhurnd for issuance of birth certificates of his children where Junior Clerk Mr. Hassan Ali Kakepoto demanded illegal gratification of Rs.2000/-. The complainant claims to have paid Rs.1500/- to the said clerk who promised to return the paid Bank Challan of fees and birth certificates to him within two days. But afterwards instead of providing the birth certificates, he misbehaved with the complainant. He, therefore, solicited intervention of this Institution.

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 the delay and after obtaining mandatory Affidavit Form 'A' from the complainant. Then, the matter was taken up with the Additional Director, Local Government, N'Feroze for comments on 11.05.2023. On 24.05.2023, the Additional Director, Local Government, N'Feroze submitted an evasive report that both the parties were not satisfied. He also submitted statements of the Secretary and accused clerk of the U.C. Bhurnd that no illegal gratification was received from the complainant for issuance of birth certificates.

Contd... p/2...

3. These statements were shared with the complainant for rejoinder on 30.05.2023. On 19.06.2023, the complainant submitted rejoinder stating that Additional Director, Local Govt. N'Feroze called him in his office for hearing on 18.05.2023, where Secretary and accused Clerk of U.C. Bhurnd were also present. After hearing, the Additional Director ordered the Secretary and Junior Clerk to return the money obtained from him but the complainant refused to receive because his complaint was pending with this Institution. The complainant claimed that on refusal, the Additional Director issued him threats and pressurized him to withdraw the complaint.

4. The Investigation Officer then heard both the parties in the presence of Additional Director, Local Government on 11.07.2023 where the complainant repeated allegation of giving Rs.1500/- while the accused clerk confessed to have received Rs.700/- instead of Rs.600/- as prescribed NADRA fee. He informed that birth certificates have been issued to the complainant. The complainant also acknowledged the receipt of birth certificates. However, the Additional Director opined that accused Clerk Kakepota should return Rs.900/- to the complainant. The complainant did not accept return of money and urged for action against Junior Clerk Hassan Kakepoto of Union Council Bhurnd as per law.

FINDINGS

5. (i) Receiving illegal gratification in excess of prescribed NADRA fees is proved, leaving apart the amount whether it is Rs.100 or 900. The mal-administration in terms of Section 2(2) of the Act 1991 is established on the part of U.C. Bhurnd officials.
- (ii) It is obvious that the Secretaries of most Union Councils do not attend their offices regularly and public is left at the mercy of Clerks and Naib Qasids.

DECISION

6. In view of the above, I, in exercise of powers vested in me under Section 11 of the Act 1991, hereby direct the Secretary, Local Government to take disciplinary action against the accused Clerk Hassan Kakepoto of Union Council Bhurnd. Secretary, Local Government Department is also directed to issue instructions to all the concerned for ensuring presence of the Secretaries at respective Union Councils during office hours.

Given under my hand and seal of Office



Sd/-

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz - PAS
Ombudsman, Sindh

Karachi, dated

23rd December, 2024